



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

LANGUAGE MATTERS:
LANGUAGE ACCESS ORDINANCE
ANNUAL COMPLIANCE SUMMARY REPORT
JULY 2011



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June 2011

San Francisco remains one of the most culturally and linguistically diverse cities in the nation with nearly half the population speaking a language other than English at home.

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.

As early advocates for language rights, the IRC thanks 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 thanks Commissioner Vera Haile for her advice and guidance, and commends the OCEIA staff, under the leadership of Executive Director Adrienne Pon, for preparing this summary report and for its partnership in improving the lives of San Francisco's most vulnerable residents.

We hope that our city leaders and departments continue to dedicate sufficient resources to ensure that all San Francisco residents, particularly monolingual and limited-English proficient individuals, have equal access to city services, programs and timely information. Our lives depend on it.

A handwritten signature in purple ink that reads "Angus McCarthy". The signature is stylized and includes a long, sweeping underline.

Angus McCarthy, Chair

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This report contains summary information submitted by Tier 1 city departments as required by the San Francisco Language Access Ordinance. Copies of full compliance plans submitted by individual departments are available upon written request from the Office of Civic Engagement & Immigrant Affairs.

LANGUAGE ACCESS ORDINANCE 2011 ANNUAL COMPLIANCE SUMMARY REPORT

CONTENTS

I.	Overview	p	1
II.	Summary of Key Findings	p	5
III.	Legal Mandates for Language Access	p	8
IV.	San Francisco Language Access Ordinance Requirements	p	15
V.	Citywide Compliance Review and Evaluation Methodology	p	18
VI.	Summary of 2011 Compliance Data and Department Plans	p	20
VII.	Recommendations	p	63
VIII.	Conclusion	p	65
IX.	Appendices	p	67
	A. Glossary of Terms		A-1
	B. Standardized LAO Reporting Form.....		B-1
	C. San Francisco Language Access Ordinance.....		C-1

I. OVERVIEW

Why don't they just learn how to speak English?

—Employee in a training class on language access laws, October 2010

Attitudes toward bilingualism can be a mask for complicated fears that are hard to talk about: the impact of new immigrants, and global competition, to name two hot button issues. But in our diverse country, in our increasingly international world, is knowing English enough?¹

—Marcia Jarmel and Ken Schneider, Producers/Directors, *Speaking in Tongues*

Speaking in Tongues, a documentary about multilingualism in America showcases four diverse children on their individual journeys to become both bicultural and bilingual. Their stories reveal the promise of a multilingual America despite a growing “English Only” movement. The film challenges viewers to rethink the skills that Americans need to truly succeed in a 21st Century global economy.

Economic experts point to an increasingly flat and borderless world, where technology has transformed society and created global citizenship, with instantaneous communication, information sharing, and competition for multinational jobs and resources. But at a time when language and technology fluency determine global economic success and competitive advantage, the United States is one of the few countries in the world where speaking a second language is not a priority nor viewed as a national asset.

According to language diversity data released by the U.S. Census Bureau in 2010, 20 percent of the nation's population aged five and over (55.4 million in 2007) speak a language other than English at home. This represents an increase of 140 percent over the past 30 years, four times greater than the national population growth rate.² The U.S. Census Bureau's 2009 American Community Survey estimates that immigrants are 12.5 percent (or 38.5 million) of the total U.S. population. The predominance of immigrants from Mexico and Asian countries (the Philippines followed by India, mainland China, Vietnam and Korea) since 2000 is in stark contrast with earlier trends seen in 1960 with large numbers of immigrants from European countries. Fifty-six percent of all immigrants currently in the U.S. are not naturalized citizens— this includes legal permanent residents, unauthorized immigrants, and legal residents on temporary visas, such as students and temporary workers. Of the 16.8 million naturalized citizens in the U.S., 41 percent have naturalized since 2000.³

¹Jarmel, Marcia and Schneider, Ken (Producers/Directors). (2009). *Speaking in Tongues* [Documentary]. United States: PatchWorks Productions. Retrieved from <http://speakingintonguesfilm.info>.

²United States Census Bureau. (2010). *Language Use in the United States: 2007* (ACS 12, April 2010). Washington, D.C.: U.S. Department of Commerce, Economics and Statistics Administration. Retrieved from <http://www.census.gov/hhes/socdemo/language>.

³Batalova, Jeanne and Terrazas, Aaron. (2010). *US in Focus, Frequently Requested Statistics on Immigrants and Immigration in the United States*, Washington, D.C.: Migration Policy Institute. Retrieved from: <http://www.migrationinformation.org/USfocus>.

The nation is becoming more diverse, dispersed and global. As the American population shifts, the rate of hate crimes, harassment, language discrimination, and anti-immigrant sentiment in the workplace, community, health care, education, courts, and government have increased. These incidents are not only due to cultural and linguistic differences, but also negative attitudes and stereotypes about people who speak little or no English, appear “foreign” or are from certain immigrant groups. Anti-immigrant backlash in recent years has unleashed a new round of highly restrictive enforcement legislation targeting immigrants, including in some cases, provisions that allow for racial profiling and “English Only” or “English as an Official Language” requirements.⁴

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. It begs the question: is anyone out there taking language access seriously and are the requirements of existing language access laws achievable?

Language Access in San Francisco

Marking the 10th anniversary of San Francisco’s Language Access Ordinance (LAO), the purpose of this report is to evaluate citywide progress and summarize to what degree departments are currently complying with LAO provisions. The 2011 report addresses four main issues: 1) the impact of new requirements contained in a 2009 amendment, including the addition of 13 new Tier 1 departments filing compliance plans for the first time; 2) the extent to which departments are currently meeting the spirit, intent and legal requirements of the LAO, 3) barriers to compliance, and 4) recommendations to further strengthen the efficacy of the LAO, ensure ongoing compliance, and better serve and inform LEP residents.

According to the 2008 American Community Survey, San Francisco ranks seventh of 71 large cities⁵ in the nation with the highest percentage of foreign-born residents. Seven of the top ten cities in this category are located in California, with San Francisco ranking fifth in the state. Approximately 34 percent of San Francisco’s 805,235 residents⁶ are immigrants. 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

⁴Several states have attempted to pass legislation similar to the Arizona SB1070 *Support Our Law Enforcement and Safe Neighborhoods Act*. The governor of Indiana recently signed SB590 into law– an early version of the bill included English Only requirements which were not included in the final version. Civil rights groups recently successfully challenged provisions of Georgia’s copycat law which would have 1) empowered police to check the immigration status of any person who looks or sounds “foreign,” and 2) made it a state crime to “transport” or “harbor” an undocumented immigrant in the course of committing another crime, even for a minor offense.

⁵Large cities are defined by the U.S. Census Bureau as having populations of 250,000 or more.

⁶U.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>.

San Francisco households are “linguistically isolated” with no one over the age of 14 indicating that they speak English “well” or “very well.”⁷

In addition to benefiting immigrants, language assistance programs benefit the broader community. Untreated illnesses, for example, can endanger public health. Immigrants’ inability to report workplace abuses can depress wages and deteriorate work conditions, lowering the standards for all workers. Effective communications between police and LEP communities are especially important to protecting public safety.

—Grantmakers Concerned with Immigrants and Refugees⁸

Recent emergency and safety situations affecting LEP and monolingual residents highlight the continued need to make language access a priority in San Francisco: two fires in Chinatown six months apart that displaced over 130 LEP and monolingual low-income seniors and families, leaving them without critical information for hours; misunderstandings and fear of

federal immigration enforcement raids (“ICE” raids) resulting from routine MUNI fare enforcement activities in the Mission and notices provided only in English; an officer-involved shooting in the Bayview, and racial tensions and violence in the southeast neighborhoods due to cultural and linguistic differences. While the city is better prepared today to respond to such incidents, continuous training and recruitment of culturally competent and bilingual staff are needed to improve the response level and timeliness. Increased outreach, education, and notification in languages in addition to English will help to ensure that residents are prepared and informed in a timely manner.

Practicing Good Government

Good government means understanding and responding to the needs of all communities and residents. All residents deserve meaningful access to vital programs, services and timely information. They need to feel confident that they will be treated with respect and dignity when interacting with government to report crimes or violations, participate in emergency preparation, follow numerous laws, rules and regulations, and access city services and programs. They must be able to understand requirements and laws as well as interact with government officials and employees without fear or intimidation.

Since 2001, San Francisco has strived to improve and increase its capacity to meet the needs of language diverse residents. Departments have increased their efforts to comply with

⁷A “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.

⁸Wang, Ted. (2009). *Eliminating Language Barriers for LEP Individuals: Promising Practices from the Public Sector*. Sebastopol, CA . Grantmakers Concerned with Immigrants and Refugees. Retrieved from: http://www.gcir.org/system/files/GCIR_LanguageReport.pdf. According to National Health Law Program Director Mara K. Youdelman, 23 million Americans (10.5 million native-born and naturalized citizens and up to 4.2 million undocumented immigrants) remain at risk for receiving substandard care merely because they are not fluent in English. In a health care system where complex medical terminology and legalistic documents leave many English speakers confused or misinformed, language barriers only exacerbate the problem.

requirements of the LAO and more important, to recognize the value of communicating effectively with all residents, particularly those who are monolingual, LEP and/or vulnerable. Significant progress has been made since all language service functions were incorporated into the Office of Civic Engagement & Immigrant Affairs (OCEIA) in 2008 and the LAO was amended in 2009. Compliance with the LAO is now linked to the annual budget process and increased efforts have been made to assist departments with meeting their LAO obligations.

Language Access Improvements (FY2009-10)

24/7 Translation and Interpretation Services (TIS) Unit- A centralized team of translators and interpreters in OCEIA began operations in January 2011 to provide assistance to city departments, primarily for crisis, emergency and public safety situations. Languages include Chinese (Cantonese and Mandarin), Spanish and Russian. The team provided over 700 hours of document translation and interpretation services to city departments for public safety meetings, victims services and commission hearings in a five-month period, as well as staffed 11 district budget townhall meetings.

Bridges to Freedom Domestic Violence Language Training- A year-long pilot funded by the Zellerbach and Annie E. Casey Foundations to increase the Chinese and Spanish speaking capacity of bilingual city employees working with victims of domestic violence. The Department on the Status of Women's Domestic Violence Cross-training Institute was OCEIA's primary implementation partner.

Community Ambassadors Program Pilot- A year-long multilingual, multicultural safety program pilot was implemented to calm tensions in the community due to cultural or linguistic differences. Multiracial, multilingual community safety teams were assigned to public locations, transit stops, and other areas to provide a safe, visible and supportive presence for residents in the southeastern neighborhoods. Each team was trained in community outreach and education, violence prevention, conflict resolution, and cultural/linguistic competency to assist LEP individuals, seniors, children, and other residents requiring assistance. Team members speaking a total of nine different languages coordinated with an existing network of community-based organizations, MUNI, SFPD, 311 and other city departments. The permanent program will begin in mid-July 2011.

Glossary of Common Terms- A citywide glossary of commonly used terms and phrases in Spanish is currently under development; Chinese (Cantonese and Mandarin) will follow afterwards.

Increased Language Services Support- Restructured citywide requirements for authorized language assistance vendors. Worked with Language Line, the city's authorized telephonic interpretation provider, to assist client departments with data collection and tailored reports.

Mandatory citywide compliance training- Mandatory citywide training of department LAO liaisons on LAO requirements and reporting duties conducted in 2010. Beginning September 2011, two levels of training will be conducted by OCEIA.

- Mandatory Tier 1 training will reinforce and clarify compliance reporting requirements. This includes information on collecting, monitoring and reporting language services for each department. Tier 1 departments will also be trained on language access rights and complaint procedures and developing cost-effective methods of tracking data.
- General training will familiarize Tier 2 departments with LAO requirements and minimum requirements.

Standardized compliance reporting- Annual Compliance Plan reporting form now available as a fillable PDF document. Additional streamlined processes and electronic reporting tools are under development.

Technical Assistance to city departments- OCEIA provided ongoing technical assistance to Tier 1 departments, including recommendations for wording of notices and identification of resources and low-cost solutions.

Tools and Resources Sharing- Several departments have developed innovative and useful tools that can be shared citywide, such as compliant process and templates developed by the Office of Citizens Complaint.

Victims Services Website Translation- 311 developed a Victims Services website and OCEIA translated the website plus all associated documents in Chinese, Spanish and Russian.

II. SUMMARY OF KEY FINDINGS

All Tier 1 departments are required by the LAO to file annual compliance plans with the Office of Civic Engagement & Immigrant Affairs (OCEIA) by December 31 of each year. For this report period, the deadline was extended to January 7, 2011 to allow additional time for the 13 new Tier 1 departments filing plans for the first time.

- ✓ **Overall compliance-** In general, Tier 1 departments are making good faith efforts to comply with the LAO and most recognize the importance of better serving LEP residents. All 26 Tier 1 departments filed complete compliance plans for this report period, although 30 percent filed after the extended deadline with repeated reminders from OCEIA staff. Nearly all Tier 1 departments participated in the mandatory training sessions held in October 2010 and several consulted regularly with OCEIA staff throughout the year.
- ✓ **Challenges to full compliance-** Tier 1 departments continue to face significant challenges to fully complying with the LAO. While many departments reported plans to improve annual goals, budgets and strategies to meet ongoing language services needs, common obstacles remain for others. These include: budgetary limitations and/or the lack of priority placed on language access given other critical demands; lack of dedicated LAO compliance officers or personnel to ensure quality control; absence of written protocols for serving LEP clients; limited LEP client data collection; insufficient expectations and standards for bilingual staff; inadequate complaint procedures; few or no translated documents; and the failure to contract with a telephonic interpretation vendor. New Tier 1 departments faced greater difficulty than existing Tier 1 departments due to unfamiliarity with LAO requirements.
- ✓ **Capacity to meet demand in Chinese-** Among all reported client interactions, interaction with Cantonese speakers was the highest (47%). Eighty percent of Tier 1 departments reported having sufficient bilingual staff to meet LAO requirements. However, while 44 percent of reported LEP client interactions were in Cantonese, only 27 percent of reported bilingual public contact staff speak Cantonese. Many departments currently outsource services or rely on Language Line (an authorized third party provider of telephonic interpretation services) to meet the translation and interpretation needs of LEP clients.
- ✓ **Consistency of bilingual staff training-** Fifty-eight percent of departments reported that they do not offer training for bilingual staff, while others rely on significantly varied training mechanisms. Content, breadth and depth of training offered to employees differ significantly among departments, from courses that teach terms specific to a department (APD), to customer service training in a multiethnic society (SFPL), to basic language courses (DEM).

- ✓ **Written protocols and quality control in crisis situations-** Sixty-two percent of Tier 1 departments reported not having written protocols for serving LEP clients in emergency situations. Processes and protocols to ensure accurate and appropriate translations during crisis situations vary significantly among city departments. Fifty-eight percent of Tier 1 departments reported having quality controls for bilingual staff. Most departments rely on the certification testing administered by the Department of Human Resources, which only tests for basic language ability. Some departments, such as HSA, have a separate examination process.
- ✓ **Public notification of language access rights and complaint procedures-** Sixty-two percent of departments indicated that they do not publically post procedures for accepting and resolving complaints of alleged violations of the LAO. Educating both city departments and the LEP client population remains vitally important. While departments reported only 19 LAO complaints in the past year, no notification was provided to OCEIA as required by the LAO. Community-based organizations, however, report numerous anecdotal cases of insufficient language access, lack of in-language complaint information and slow response to requests for language assistance. Factors that may influence the low number of reported LAO complaints include: limited public awareness of language access rights and complaint procedures, unavailability of translated language rights and complaint information, lack of access to the Internet, and inability to navigate and access information on English-based websites. Feedback from community-based organizations also suggests that some LEP residents may not be comfortable with available current methods of communicating with city departments.
- ✓ **Consistency in data collection processes and reporting relevant data-** Departments are required under the LAO to use one of three methods to determine the number of LEP clients: 1) surveys, 2) at the point of service, and/or 3) records from Language Line or other telephonic language translation vendors contracted by the department. There is a lack of consistency in how departments collect and report LAO data. Many new and some existing Tier 1 departments do not currently have mechanisms for tracking LEP clients citywide or by supervisorial district. In practice, departments face challenges capturing required information on their 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.
- ✓ **Tracking LEP client information-** Existing Tier 1 departments reported serving fewer LEP clients in 2011 (6.5 percent of total client interactions) compared to 9 percent in 2008 and 11 percent in 2009. This appears to be inconsistent with U.S. Census data. The decrease in reported LEP client interactions is likely due to changes in departments' methodologies for tracking client interactions, staff turnover, and/or lack of training, rather than lower demand or fewer LEP clients. Thirty-one percent of departments do not currently track client demographic information and did not state plans to track them in the future.

- ✓ **Adequacy of Internal Processes-** Seventy-three percent of Tier 1 departments reported that their current processes to facilitate communication with LEP persons are adequate. On the other hand, several departments reported ongoing barriers to providing language services, including: translation accuracy and speed, providing adequate and effective language services, and budgetary constraints.
- ✓ **Continuous improvement-** Most new Tier 1 departments did not report improvements since this was the first year they were required to file plans. Five original Tier 1 departments with heavy public contact, including Elections, Emergency Management, Public Health, Public Library, and Sheriff, did not report changes from the previous year's Annual Compliance Plan nor did they report plans to improve services in FY2011-12.
- ✓ **Tier 2 departments-** Many Tier 2 departments do not comply with the basic requirements of the LAO because they are unaware of its application, lack training, or lack the capacity and resources due to small department size. Tier 2 departments were invited to LAO training workshops which were mandatory only for Tier 1 departments. In 2012, training will be mandatory for all city departments.

III. 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 it means that a federal aid recipient does not have to act in an intentionally discriminatory fashion in order for HHS to take action against it for violating Title VI. It is sufficient that an entity’s actions have a discriminatory impact in order for 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 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. 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.

Office of Minority Health (OMH) Culturally and Linguistically Appropriate Standards (CLAS) (2000)	OMH sets out a total of 14 national standards but standards 4-7 on Language Access Services 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 through a professional translator/interpreter or bilingual staff. The health care organization shall not use family or friends for language interpretation services unless requested by the patient. All signage and patient-related material shall be easily understood by LEP patients.
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)	Sets forth a four-factor analysis for federal agencies to require their federal funding recipients to use in order to ensure that 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 a four-factor standard: (1) the number or proportion of LEP patients to be served by the aid recipient; (2) the frequency with which LEP individuals will interact with the aid recipient; (3) the nature and importance of the activity involved; (4) the resources available to the aid recipient.
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 laws in the nation 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)	By October 2011, the Board of Pharmacy will publish on its website a list of standardized directions translated in five languages. 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 is available.
	SB 853 (Escutia): Health Plans (2009) Applies to all health plans and insurers.	Requires a health care service plan with an enrollment of 1,000,000 or more must translate all vital documents in the top one non-English languages and additional languages shall be added based on an increased 0.75% or 15,000 enrollee population. Health plans must conduct a needs assessment to indentify the linguistic needs of its enrollee population and notify their enrollees of the cost-free translation services.

Challenges to Implementing Language Access Laws

Lau v. Nichols (1974), the landmark ruling by the U.S. Supreme Court established language access as a civil right, ruling that discrimination on the basis of a person's inability to read, write or speak English was a form of discrimination against national origin and thus, a violation of the Civil Rights Act of 1964. Presidential Executive Order 13166 affirmed that right and 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. A 2010 audit by the United States Government Accountability Office (GAO) found room for improvement in providing services to LEP persons. The GAO report noted that the total number of federal agencies required to complete recipient guidance and LEP plans could not be determined since agencies can self-determine if these are necessary and are not required to report on the results, nor are plans made public.⁹ In addition, no penalties are currently in place for non-compliance with EO13166.

Language access laws have existed in California for over 38 years. California remains the most diverse state in the nation with the greatest number foreign-born residents (9.9 million)¹⁰ and population speaking a language other than English at home (43 percent).¹¹ The 1974 Dymally-Alatorre Bilingual Services Act,¹² one of the first and strongest in the nation, requires California state and local agencies serving a "substantial number of non-English speaking people," to employ a "sufficient number of qualified bilingual staff in public contact positions" and to translate documents explaining available services into their clients' languages.

However, a recent audit found that most state agencies, including the agency overseeing compliance, were failing to meet their obligations under the law. The California State Auditor concluded in its November 2010 report that the State Personnel Board (SPB), the body charged with monitoring and enforcing Dymally-Alatorre, was not informing all state agencies of their responsibilities, not ensuring that state agencies conduct language surveys to assess their clients' language needs, and not ensuring that complaints are resolved in a timely manner. Furthermore, the SPB did not effectively implement key recommendations made in an earlier 1999 audit which found that 80 percent of state agencies were unaware of and out of compliance with the law. The Auditor's survey of local government administrators and department managers in 25 counties and cities throughout California also found that some jurisdictions do not fully address the bilingual needs of residents, thereby failing to provide limited English speaking individuals access to critical government services to which they are

⁹United States Government Accountability Office. (2010). *LANGUAGE ACCESS Selected Agencies Can Improve Services to Limited English Proficient Persons, Report to Congressional Requesters* (GAO-10-91, April 2010). Washington, D.C.

¹⁰U.S. Census Bureau. (2009). *American Community Survey*. California had the largest number of foreign-born residents (9.9 million), followed by New York (4.2 million), Texas (4.0 million), and Florida (3.5 million). Retrieved from: <http://www.census.gov/prod/2010pubs/acsbr09-15.pdf>.

¹¹U.S. Census Bureau. (2010). California had the largest percent of the total population who speak a language other than English at home (43 percent), followed by New Mexico (36 percent) and Texas (34 percent). For non-Hispanics who speak a language other than English at home, Hawaii (25 percent) and California (24 percent) were the states with the highest proportion, followed by New York (19 percent) and New Jersey (18 percent). Retrieved from: <http://www.census.gov/prod/2010pubs/acsbr09-19.pdf>.

¹²California State Personnel Board, Dymally-Alatorre Bilingual Services Act, California Codes - Government Code - Section 7290-7299.8. Retrieved from: <http://www.spb.ca.gov/bilingual/dymallyact.htm>.

entitled.¹³ As a result, AB305 (Furutani) which includes amendments to increase reporting requirements and strengthen the Act is currently pending in the Assembly.¹⁴

Legal Services NYC, a nonprofit organization, sued the New York City Human Resources Agency in 2009 for widespread civil rights violations and to force compliance with the city's "Equal Access to Human Services Act," first passed in 2003 to require translation and interpretation services for clients. The lawsuit charged that low-income New Yorkers were denied access to vital benefits solely because they were not able to communicate in English. Advocates argued that although the language access law looked strong on paper, translated forms were rarely available and many city workers were unaware of the rules or not equipped to help people who speak languages other than English. Advocates also found a lack of adequate funding for language services and poor implementation.¹⁵

In March 2011, the District of Columbia (D.C.) City Council held oversight hearings for the Office of Human Rights (OHR), the agency in charge of implementing and enforcing the D.C. Language Access Act of 2004 (Act). Advocates testified about systemic problems faced by OHR in meeting the obligations of the Act, including an inability to effectively hold agencies accountable for 1) collecting and reporting data about languages spoken by client populations, and 2) requiring translations of vital documents into languages other than English. Advocates recommended giving more teeth to the Act, such as judicial review, to ensure that language discrimination is treated in the same manner as other forms of discrimination.

Credited with being the first city in the nation to pass language access legislation in 2001,¹⁶ Oakland recently settled two lawsuits with eight nonprofit organizations resulting from charges that it failed to implement and follow the law since its enactment. The lawsuits, filed in 2008, focused on the city's lack of compliance with and enforcement of mandatory obligations of its "Equal Access to Services Ordinance," including a failure to produce annual plans, translate public documents and hire bilingual speakers. In a February 2011 settlement, the city agreed to pay plaintiffs a total of \$400,000 in legal fees.

And just as this report was going to print, the U.S. Department of Justice announced a settlement with Alameda County over a lawsuit alleging that the county violated the 1965 Voting Rights Act by failing to adequately assist Chinese and Spanish-speaking voters with translated or properly-distributed in-language elections material. The consent decree agreement, which must be approved by a federal district court, requires that the county 1) offer voters bilingual elections material in English/Chinese or English/Spanish; 2) provide

¹³California State Auditor. (2010). *Dymally-Alatorre Bilingual Services Act: State Agencies Do Not Fully Comply With the Act, and Local Governments Could Do More to Address Their Clients' Needs* (Report 2010-106). Sacramento, CA.

¹⁴Office of Assemblymember Warren Furutani. (2011). *AB 305 (Furutani) Access to Government Services for All- Enforcing Dymally-Alatorre Bilingual Services Act*. Retrieved from: <http://asmdc.org/members/a55/legislation/itemlist/category/295-2011-2012-legislation>. As of April 2011, at least 45 bills before the California legislature affect immigrants and LEP persons. Ten of these bills relate to language access policies, including AB 305 amendments to the Dymally-Alatorre Bilingual Services Act.

¹⁵Legal Services NYC. (2009). *Lawsuit Filed Against City Challenging Widespread Civil Rights Violations at Welfare Centers*, Retrieved from: http://www.legalservicesnyc.org/index.php?option=com_content&task=view&id=488&Itemid=98, and/or <http://www.nytimes.com/2010/07/07/nyregion/07translate.html?hp>.

¹⁶In May 2001, the City of Oakland was the first in the nation to pass a language access law which was modeled after the Equal Access to Services legislation drafted by the San Francisco Board of Supervisors in 2000. San Francisco enacted the final version of its language access law in June 2001.

trained bilingual election officials at polling places on election day; 3) display all signage in Spanish and Chinese at polling places as prominently as English language signage; and, 4) establish an advisory group of community members to help determine how to most effectively provide election materials, information and assistance to Spanish and Chinese speaking voters. The agreement also provides that federal observers may monitor election day activities in polling places in the county.¹⁷

Whether due to the threat of litigation, the requirements of legislation, or the expectations of policy makers and taxpayers, managers of language access programs must find ways to evaluate the quality and success of their services. Despite the fact that President Clinton’s Executive Order 13166 is almost a decade old, few state or local agencies provide thorough and timely indicators of their capacity to serve LEP individuals.

—Migrant Policy Institute¹⁸

Clearly, government agencies at every level are struggling with how to effectively implement and enforce well-intended language access laws. Unlike the private sector, the standard set by law for federal, state and local entities to provide language access is significantly high and must meet the needs of all residents, not just some. In the San Francisco Bay Area, where over 112 different

languages are spoken, translating and interpreting a large volume of complex information accurately can be extremely difficult and costly. Cash-strapped public agencies face significant challenges in meeting the full extent of language access laws, particularly in the following areas:

- ✓ Ensuring compliance and monitoring oversight with limited resources.
- ✓ Collecting relevant data.
- ✓ Evaluating language access program effectiveness.
- ✓ Conducting effective outreach to inform LEP residents of their rights.
- ✓ Ensuring high quality oral interpretation and written translation services.
- ✓ Limited penalties for noncompliance.
- ✓ Increased liability to local government.
- ✓ Lack of adequate funding for data tracking, translations and interpretations.
- ✓ Responding in a timely manner to emerging needs.
- ✓ Developing coordinated, cost effective processes for translating and distributing written materials in a timely manner.

¹⁷United States Department of Justice. (2011). *Justice Department Announces Agreement Protecting the Rights of Chinese and Spanish-Speaking Voters in Alameda County, California* [Press Release]. Retrieved from <http://www.justice.gov/opa/pr/2011/July/11-crt-873.html>.

¹⁸Laglagaron, Lauren et al. (2009). *Is This Working? Assessment and Evaluation Methods Used to Build and Assess Language Access Services in Social Services Agencies*. Washington, DC: Migration Policy Institute. Retrieved from: http://www.migrationinformation.org/integration/language_portal/files/Language-Access-in-Social-Services.pdf.

Tools and Resources

Despite the 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. A number of innovative approaches to providing and evaluating language access programs have been developed over the past 10 years. Following are some of the resources OCEIA is using to assist city departments with meeting their LAO compliance requirements and better serving LEP clients.

<p>Annie E. Casey Foundation</p>	<p>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.</p>
<p>Chinese for Affirmative Action (CAA)</p>	<p>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</p>
<p>Federal Interagency Working Group on Limited English Proficiency</p>	<p>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.</p>
<p>Grantmakers Concerned with Immigrants and Refugees (GCIR)</p>	<p>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. 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.</p>
<p>Migrant Policy Institute: National Center on Immigrant Integration Policy</p>	<p>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.</p>

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.

IV. SAN FRANCISCO LANGUAGE ACCESS ORDINANCE REQUIREMENTS

At CAA, we embody language access as a catalyst to creating a more equitable, vibrant and engaged community. San Francisco affirmed its commitment to limited-English speaking persons and immigrant communities with recent amendments to the Language Access Ordinance, one of the strongest in the nation. It is now up to city agencies to comply with the law and ensure that all San Franciscans have meaningful access to vital public services.

—Jenny Lam, Director of Community Initiatives, Chinese for Affirmative Action

In 2001, the San Francisco Board of Supervisors enacted the Equal Access to Services Ordinance (EAS), Chapter 91 of the Administrative Code, in response to the 1999 findings by the State Auditor on the lack of bilingual services compliance by state agencies. The EAS ensured that services provided by covered city departments were accessible in any language spoken by limited English proficient persons who made up either 1) five percent of the population served by the department, or 2) 10,000 residents citywide. Spurred by community advocates and Chinese for Affirmative Action, the EAS was amended in 2009 to strengthen its efficacy and broaden its application. Renamed the Language Access Ordinance (LAO), 13 new city departments were added to the list of existing departments designated as Tier 1 and new requirements were added for all city departments that furnish information or provide services directly to the public, making the law one of most comprehensive in the nation.

The LAO imposes on Tier 1 City departments the obligation to provide the same level of service in various languages to limited English-speaking persons as are available to all city residents. Departments subject to the LAO are required to utilize and hire sufficient bilingual employees in public contact positions, translate materials, provide interpretations at public meetings, maintain recorded telephonic messages about the department operations or services in multiple languages and file annual compliance plans by December 31 of each year. There are currently 26 city departments designated as Tier 1 in San Francisco. These departments 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.

The Office of Civic Engagement (OCEIA) ensures citywide compliance with language access laws and is required 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 as required by the law. OCEIA works closely with the Immigrant Rights Commission to ensure that the spirit and intent of the LAO is reflected in all department plans.

The following charts summarize key requirements under the LAO for city departments:

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> <p>Existing Tier 1 Departments (covered under the original law established in 2001):</p> <ol style="list-style-type: none"> 1. Adult Probation Department 2. District Attorney's Office 3. Department of Emergency Management 4. Elections Department 5. Fire Department 6. Department of Public Health 7. Human Services Agency 8. Juvenile Probation Department 9. Municipal Transportation Agency 10. Public Defender's Office 11. Residential Rent Stabilization & Arbitration Board 12. SF Police Department 13. Sheriff's Office 	<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.
<p>New Tier 1 (New Departments added under the LAO as amended in 2009 and effective starting July 2010)</p> <p>New Tier 1 departments must file their first annual compliance plans by December 31, 2010:</p> <ol style="list-style-type: none"> 1. San Francisco International Airport 2. Office of Assessor Recorder 3. City Hall Building Management 4. Department of Building Inspection 5. Department of Environment 6. Office of Economic/Workforce Development 7. Planning Department 8. San Francisco Public Library 9. Department of Public Works 10. Public Utilities Commission 11. Recreation and Parks Department 12. Treasurer and Tax Collector (Office of) 13. San Francisco Zoo 	

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 should be considered Tier 2 (list not limited to these departments):</p> <p>311 Animal Care and Control Child Support Services Department of Children, Youth & Their Families Office of Citizen Complaints City Administrator’s Office City Attorney Clerk of the Board of Supervisors Office of Contract Administration Controller’s Office County Clerk General Services Agency Human Resources Human Rights Commission Office of Labor Standards Enforcement Mayor’s Office Mayor’s Office of Criminal Justice Mayor’s Office on Disability Mayor’s Office of Housing Mayor’s Office of Neighborhood Services Medical Examiner Port of San Francisco Office of Public Finance Purchasing Office of Small Business Department on the Status of Women Department of Technology</p>	<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 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.

IV. CITYWIDE REVIEW AND EVALUATION METHODOLOGY

In 2009, OCEIA created a standardized compliance plan form to simplify the reporting process and facilitate analysis across diverse Tier 1 departments. The mandatory form, which is based on Chapter 91 of the Administrative Code, is divided into three sections and includes 15 question areas that require specific information on bilingual employees, development and training, and interpretation and translation services. 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.

Reporting Period- Compliance plans from Tier 1 Departments are due on December 31 of each year. For this report period, the deadline was extended to January 7, 2011 to allow additional time for the 13 new Tier 1 departments filing plans for the first time. Departments previously reported data by both calendar and fiscal years. Since 2010, OCEIA has required departments to report data from the previous complete fiscal year (July 1 to June 30). With the addition of 13 new Tier 1 departments, comparison tables are not available for this report, however multiyear data comparisons will be possible in future years.

Mandatory Training- OCEIA conducted three mandatory training sessions in the fall of 2010 in order to inform new and existing Tier One departments of their responsibilities under the amended LAO. Legal aspects of the LAO were covered by the District Attorney's office; the city's rationale for language access and its commitment to serving all residents were discussed in detail; compliance plan questions and formats were reviewed; and best practices were shared with department representatives. Many department representatives were concerned about the expense involved in implementing the LAO and several conversations followed the trainings.

Thoroughness and Consistency of Responses- Some departments provided incomplete or no responses to required questions as part of their annual filings. Many departments, mostly new Tier 1, reported that they do not currently track demographic information. Some departments also reported inconsistent data, as seen when comparing total clients citywide, the number of LEP clients, the percent of total clients who are LEP, and information on public contact staff.

Common Terminology and Tracking Information- Although the reporting form greatly facilitated the standardization of LAO reporting and assessing compliance, there are several questions that departments had difficulty answering. Departments expressed the most difficulty with the definition of "client" (Question 2), "quality controls" (Question 8), providing data by supervisorial district (Question 3), and breaking down the budget for language services by type provided to LEP clients (Question Section B1). For example, some departments did not know whether to define a client as someone passing through a facility or someone who requests translation or interpretation services. Since many departments do not currently track the actual number of LEP clients served, OCEIA agreed that these departments should report an estimate of total clients who are LEP. This estimate could be derived from an

internal survey or through Census and other data. As a result, data reported in Question 2 do not reflect individual clients but rather an estimate of all interactions with clients. In Question 8, some departments asked for clarity on quality controls and training for bilingual employees. Quality controls are any guidelines or protocols that help translators and interpreters verify their work. An example might be a glossary of standard terms or a review process that includes multiple editors internal, and/or external to a department. Additionally, six out of 26 Tier 1 departments reported client data by supervisorial district, including DPH, DPW, ELE, HSA, and JUV. The DA provided a breakdown of clients by district for the Victim Witness Unit.

Many departments were proactive in asking OCEIA for help with the reporting template. However, there were a number of issues that arose in the analysis stage that indicate the need for more guidance from OCEIA. These issues include subjective self-assessments (Question 7 and 8) and defining “training for bilingual staff” (Question 8). Departments sometimes interpreted their responses differently even if they had the same or similar protocols in place. For example, two departments reported having quality controls for employees, but one department described its quality control process as DHR certification, while the other used designated staff to ensure the accuracy of translated materials. While DHR certification determines who receives premium pay by testing for proficiency, it does not ensure the accuracy of all translations and interpretations conducted by individual departments. Departments should develop internal quality controls in order to promote accuracy. Finally, some departments reported general training for bilingual employees that does not specifically address their translation or interpretation work. In the future, OCEIA will clarify this confusion.

Technical Assistance for New Tier 1 Departments- Most of the questions received by OCEIA were from new Tier 1 departments that desired clarity and were concerned because they had not previously tracked certain data, such as clients by supervisorial district and LEP clients served. OCEIA worked with departments to ensure that they provided consistent and accurate data to the best of their ability. New Tier 1 departments were advised to indicate in the compliance plan if they did not have data available and to work towards a solution for the next reporting cycle.

VI. SUMMARY OF 2011 COMPLIANCE DATA AND DEPARTMENT PLANS

The following section includes information reported by Tier 1 departments for fiscal year 2009-2010 (FY 09-10). Responses are taken directly from the standardized reporting form submitted by each Tier 1 department. Full versions of individual department compliance plans are available upon written request to OCEIA (civic.engagement@sfgov.org).

Tier 1 Departments – Key

AVG = Average	ELEC = Department of Elections	PUC* = Public Utilities Commission
APD = Adult Probation Department	ENV* = Department of Environment	RNT = Residential Rent Stabilization and Arbitration Board
ASR* = Office of Assessor Recorder	FIRE = 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
Report Legend		
* = New Tier 1 Department	Blank = No/None	
- = Not Applicable	NA = Not Available	
~ = Incomplete		

The following table summarizes information provided by city departments and a record of attendance at LAO trainings. A check mark is recorded if a department provided the information indicated; if not, the cell is blank. Incomplete information is denoted with a tilde (~). The filing date for city departments to submit annual compliance plans was extended to January 7, 2011 to allow additional time for new Tier 1 departments. All 26 Tier 1 departments filed annual plans, with 70 percent filing within the extension period.

Figure 1. Summary of department compliance participation and submitted materials

DEPT.	ATTENDED LAO TRAINING	SUBMITTED PLAN BY 1/7/11	LEP CLIENT DATA	PUBLIC CONTACT & BILINGUAL EMPLOYEES	TRANSLATED MATERIALS	WRITTEN POLICY & PROTOCOL FOR SERVING LEP CLIENTS	TELEPHONIC TRANSLATION SERVICES	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*	√	√		√				√

*New Tier 1 Department

#1: What is the number and percentage of Limited English Proficient (LEP) persons who used the department's services citywide? By supervisory district?

LEP clients are served with less frequency (8% of client interactions) than English-speaking clients (92% of client interactions). Table 1-1 summarizes the number of total client interactions and LEP client interactions that original and new Tier 1 departments reported for FY 09-10. Please note that each department measures client interactions differently using various tracking systems ranging from surveys to daily intake procedures. Much of the data, especially among new Tier 1 departments, are estimates based on the U.S. Census. Table 1-2 provides a citywide summary of total and LEP client interactions for all Tier 1 departments.

Table 1-1. Client Interactions

ORIGINAL TIER 1 DEPARTMENTS				NEW TIER 1 DEPARTMENTS			
DEPT.	TOTAL CLIENT INTERACTIONS	LEP CLIENT INTERACTIONS	% OF TOTAL LEP CLIENT INTERACTIONS	DEPT.	TOTAL CLIENT INTERACTIONS	LEP CLIENT INTERACTIONS	% OF TOTAL LEP CLIENT INTERACTIONS
APD	6,410	708	11.0%	ASR*	35,000	355	1.0%
DA	23,239	3,851	16.6%	BM*	NA	NA	NA
DEM	905,875	14,528	1.6%	DBI*	NA	NA	NA
DPH	119,880	49,747	41.5%	DPW*	465,181	25,938	5.6%
ELEC	470,499	26,176	5.6%	ENV*	802,235	145	0.0%
FIRE	181,600	3,632	2.0%	OEWD*	NA	NA	NA
HSA	185,805	91,308	49.1%	PLN*	32,000	140	0.4%
JUV	1,921	191	9.9%	PUC*	808,976	185,336	22.9%
MTA	700,000	1,671	0.2%	RPD*	41,370	147	0.4%
PDR	26,500	6,625	25.0%	SFO*	1,000,000	502	0.1%
RNT	33,367	2,533	7.6%	SFPL*	845,559	175,169	20.7%
SFPD	798,176	23,634	3.0%	TTX*	400,000	30,000	7.5%
SHF	3,996	744	18.6%	ZOO*	200,000	NA	NA
TOTAL	3,457,268	225,348	6.5%	TOTAL	4,630,321	417,732	9.0%

Table 1-2. Total Tier 1 Client Interactions

DEPT.	TOTAL CLIENT INTERACTIONS	LEP CLIENT INTERACTIONS	PERCENT OF TOTAL CLIENT INTERACTIONS THAT ARE LEP
Original Tier 1	3,457,268	225,348	6.5%
New Tier 1	4,630,321	417,732	9.0%
TOTAL TIER 1	8,087,589	643,080	8.0%

LEP Clients Served and Tracking Methods

Tier 1 departments reported that 8% of all client interactions took place with LEP individuals. Departments employ a variety of methods to track their clients, from intake logs, to sampling the population for a two-week period, to estimates based on U.S. Census data. As a result, department data do not truly represent the number of LEP clients served but rather the number of interactions with clients in FY 09-10.

The low share of reported interactions with LEP clients is surprising because the American Community Survey (ACS 05-09) estimates that 23% (174,000 individuals) of San Francisco residents speak English less than “very well” at home. The discrepancy between Tier 1 departments’ share of LEP client interactions and the Census data suggests that more work is needed to ensure that LEP clients access City services. Moreover, it is possible that many LEP individuals access city services through 311, a Tier 2 department not required to submit LAO Compliance Plans and not included in this report.

In FY 09-10, LEP client interactions accounted for 7% of all client interactions among original Tier 1 departments. This is a decrease from 11% in FY 08-09 and 9% in FY 07-08. The decrease in share of total client interactions indicates that original Tier 1 departments continue to serve LEP clients with less frequency than they serve English speaking clients. Adding the new Tier 1 departments to the original Tier 1 increases the total share of LEP clients to 8% of total clients.

LEP Clients Served by Supervisorial District

Only six of 26 Tier 1 departments reported the distribution of their client interactions by supervisorial district.

Figure 1-1 LEP Client Interactions by Supervisorial District

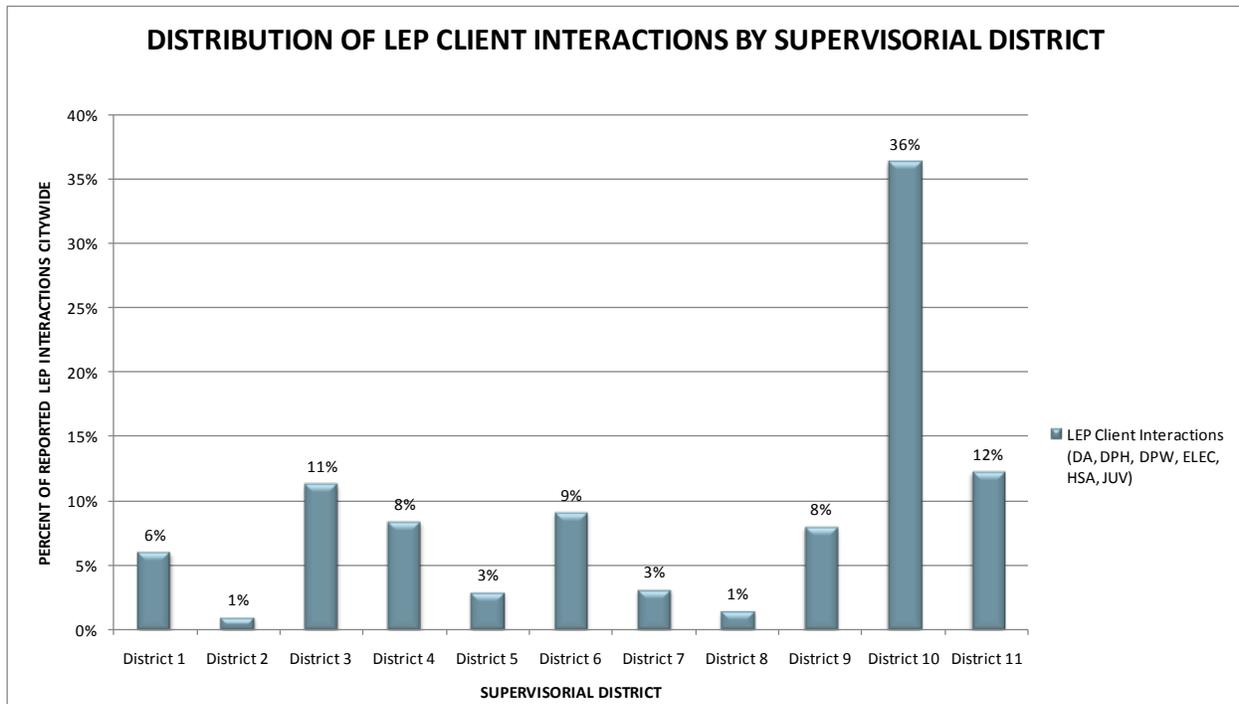


Figure 1-1 shows the distribution reported by six departments (DA, DPH, DPW, ELEC, HSA, and JUV) that account for 30% of all Tier 1 LEP client interactions. Among these six departments, 36% of LEP client interactions were located in District 10, followed by 12% in District 11, and 11% in District 3 (192,785 total LEP clients).

Figure 1-2 Client Interactions by Language and Supervisorial District

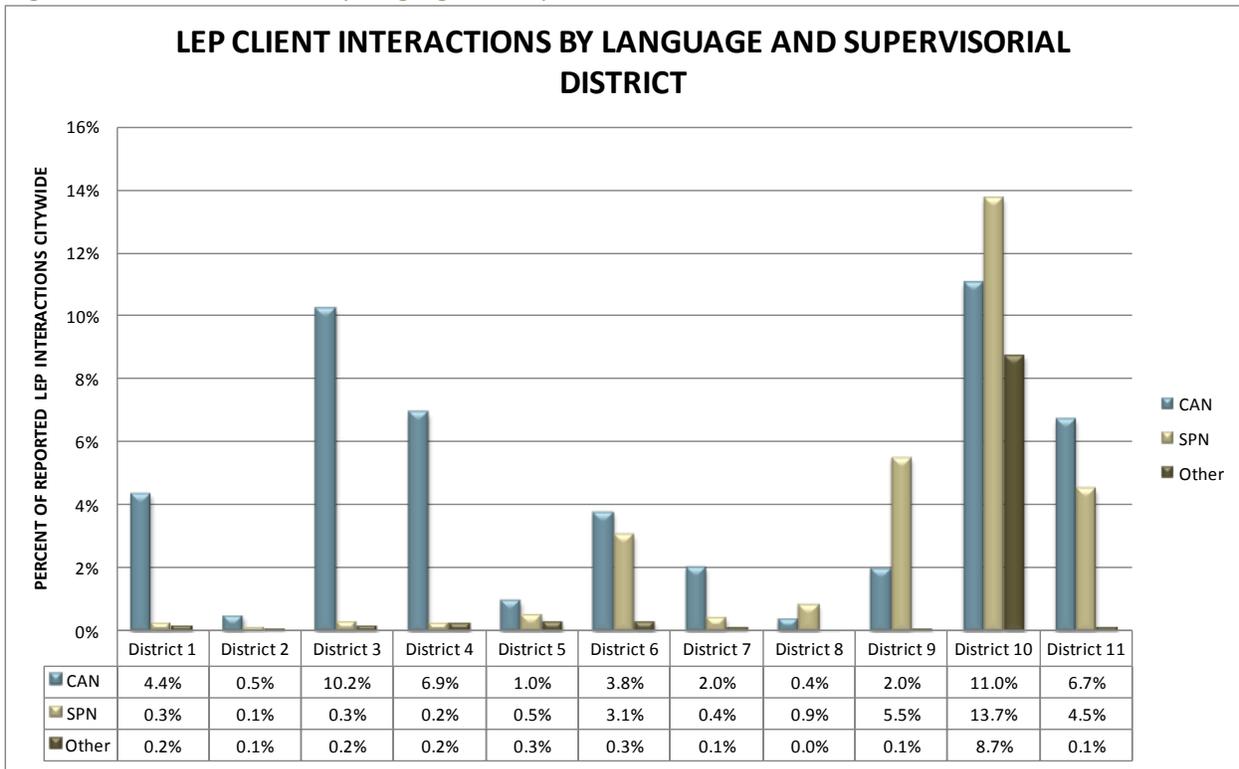


Figure 1-2 displays LEP client interactions in each supervisorial district conducted in languages. Forty-nine percent of LEP client interactions were conducted in Cantonese, 30% in Spanish, and 22% in other languages (Mandarin, Russian, Tagalog, Vietnamese, and others) across all supervisorial districts.

Table 1-3 indicates which departments currently track their LEP clients by supervisorial district.

Table 1-3 LEP Clients 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	88,809	11,593	13.1%	DA, DPW, ELEC, and HSA
DISTRICT 2	97,131	1,892	1.9%	DA, DPW, ELEC, and HSA
DISTRICT 3	93,498	21,804	23.3%	DA, DPH, DPW, ELEC, and HSA
DISTRICT 4	90,063	16,184	18.0%	DA, DPH, DPW, ELEC, and HSA
DISTRICT 5	112,796	5,658	5.0%	DA, DPW, ELEC, and HSA
DISTRICT 6	121,395	17,610	14.5%	DA, DPH, DPW, ELEC, and HSA
DISTRICT 7	94,557	6,071	6.4%	DA, DPW, ELEC, HSA, and JUV
DISTRICT 8	113,203	2,785	2.5%	DA, DPW, ELEC, and HSA
DISTRICT 9	91,686	15,406	16.8%	DA, DPH, DPW, ELEC, and HSA
DISTRICT 10	233,546	70,131	30.0%	DA, DPH, DPW, ELEC, and HSA
DISTRICT 11	95,820	23,651	24.7%	DA, DPW, ELEC, and HSA

#2: What is the breakdown of LEP interactions by language?

Table 2-1 shows the distribution of LEP client interactions by department and language. Most LEP client interactions took place in Cantonese (47%) and Spanish (29%), which is proportionally consistent with recent Census data. Some Tier 1 departments did not disaggregate LEP interactions by language. As a result, LEP clients grouped under “other languages spoken” also include clients who speak Cantonese, Mandarin, Russian, Spanish, Tagalog or Vietnamese. The breakdown by language of total LEP clients equals 95% of the reported total for all departments.²⁰

Table 2-1. LEP Client Interactions by Language and Department

DEPT.	TOTAL BY DEPT	CAN	MDRN	RUS	SPN	TAG	VIET	Other
APD	708	16	1	10	633	12	14	22
ASR*	355	260	48	1	36	0	3	7
BM*	NA	NA	NA	NA	NA	NA	NA	NA
DA	3,851	1,075	221	0	2,486	4	36	29
DBI*	NA	NA	NA	NA	NA	NA	NA	NA
DEM	14,528	3,056	798	484	9,166	211	208	605
DPH	49,747	10,462	924	922	18,862	854	1,147	16,576
DPW* ²¹	25,938	21,727	0	0	3,989	24	124	74
ELEC	26,176	22,031	0	0	3,894	37	141	73
ENV*	145	50	20	5	50	0	0	20
FIRE	3,632	764	200	121	2,292	53	52	150
HSA	91,308	39,531	3,196	7,034	30,288	3,680	4,237	3,342
JUV	191	30	1	4	138	5	3	10
MTA	1,671	499	40	2	1,120	2	2	6
OEWD*	NA	NA	NA	NA	NA	NA	NA	NA
PDR	6625	325	0	0	6300	0	0	0
PLN*	140	80	30	0	30	0	0	0
PUC*	185,336	93,528 ²²	NA	9,929	41,983	10,656	7,308	21,932
RNT	2,533	1,316	72	115	781	29	0	220
RPD*	147	74	18	0	55	0	0	0
SFO*	502	11	78	13	198	2	13	187
SFPD	23,634	6,084	728	520	10,712	936	702	3,952
SFPL*	175,169	86,625 ³	NA	11,231	42,058	10,254	4,165	20,836
SHF	744	196	29	1	517	1	0	0
TTX*	30,000	NA	NA	NA	NA	NA	NA	NA
ZOO*	NA	NA	NA	NA	NA	NA	NA	NA
TOTAL	643,080	287,740	6,404	30,392	175,588	26,760	18,155	68,041
PERCENT OF TOTAL (N=613,080)	104.9%	46.9%	1.0%	5.0%	28.6%	4.4%	3.0%	11.1%

*New Tier 1 Department

²⁰The total number of LEP interactions in Figure 2-1 (613,080 interactions) is less than that reported in Figure 1-2 (643,080 interactions) because some departments did not break out their reported totals by language.

²¹DPW and PUC report large numbers of client interactions; PUC based its estimate of client interactions on the American Community Survey (06-08).

²²Figure not disaggregated by department and includes both Cantonese and Mandarin speaking clients.

#3: What is the total number of public contact positions in the department? List the total number of bilingual staff in public contact positions and identify each by language(s) spoken.

Table 3-1 on the following page shows the number of public contact staff identified as bilingual; the total number of public contact staff; the percent of total public contact staff that are bilingual; and a breakdown of bilingual staff by language. 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.” Additionally, 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(s).” However, some departments reported bilingual public contact staff whose primary duties do not involve providing language services.

Twenty-four percent of all public contact staff are bilingual (3,000 of a Tier 1 total of 12,700 staff members). Forty-five percent of bilingual public contact staff speak Spanish; 27% speak Cantonese; and 9% speak Mandarin. Departments reported that 60% of bilingual staff were language-certified by the Department of Human Resources (DHR) and receive compensatory bilingual pay (1814 staff members). The DHR certification process determines if the employee has sufficient fluency in a specific language. Some departments reported that staff without DHR certification receive bilingual pay, while others reported that staff with DHR certification did not receive bilingual pay.

Table 3-1. Bilingual & All Public Contact Staff by Department and Language²³

(*New Tier 1 Department)

DEPT.	ALL PUBLIC CONTACT STAFF	BILINGUAL PUBLIC CONTACT STAFF	% OF ALL PUBLIC CONTACT STAFF THAT IS BILINGUAL	BILINGUAL PUBLIC CONTACT STAFF BY LANGUAGE						
				CAN	MDR N	RUS	SPN	TAG	VIET	OTHER ²⁴
APD	88	21	23.9%	1	0	1	19	1	0	0
ASR*	0	0	NA	0	0	0	0	0	0	0
BM*	2	2	100.0%	0	0	0	1	0	1	0
DA	164	51	31.1%	7	3	1	22	2	3	31
DBI*	210	11	5.2%	5	2	0	5	0	0	0
DEM	193	25	13.0%	5	2	1	15	1	0	1
DPH	3,500	1,034	29.5%	257	114	18	552	41	29	23
DPW*	40	9	22.5%	3	4	0	2	1	0	NA
ELEC	20	12	60.0%	6	3	1	3	0	0	0
ENV*	13	13	100.0%	4	2	2	11	1	0	0
FIRE	1,480	121	8.2%	29	3	4	72	0	2	11
HSA	1,425	579	40.6%	214	38	45	228	52	39	9
JUV	263	65	24.7%	21	0	1	30	8	1	4
MTA	244	106	43.4%	24	8	2	26	20	4	22
OEWD*	12	12	0.0%	2	1	0	5	2	0	2
PDR	160	56	35.0%	7	7	1	34	0	1	7
PLN*	5	2	40.0%	1	1	0	1	0	0	0
PUC*	143	16	11.2%	8	2	0	6	1	0	0
RNT	9	3	33.3%	2	1	0	1	0	0	0
RPD*	800	4	0.5%	1	0	0	1	0	0	2
SFO*	307	129	42.0%	19	19	2	36	9	0	NA
SFPD	2,662	487	18.3%	108	20	9	192	46	5	107
SFPL*	852	76	8.9%	34	18	5	17	1	1	6
SHF	NA	139	NA	37	0	1	75	24	2	0
TTX*	129	86	66.7%	25	15	2	33	13	2	11
ZOO*	35	3	8.6%	0	2	0	1	0	0	3
TIER 1TOTAL	12,746	3,050	23.9%	820	265	96	1,388	223	90	239
% OF BILINGUAL PUBLIC CONTACT STAFF TOTAL	-	-	-	26.9%	8.7%	3.1%	45.5%	7.3%	3.0%	7.8%
% OF ALL PUBLIC CONTACT STAFF TOTAL	-	-	-	6.4%	2.1%	0.8%	10.9%	1.7%	0.7%	1.9%

²³The breakdown of languages spoken by bilingual public contact staff (3,121 languages) exceeds the total number of bilingual public contact staff (3,050 staff members) because one staff member may speak multiple languages. SHF did not report the total number of public contact staff.

²⁴Includes American Sign Language, Cambodian, French, Greek, Japanese, Korean, Laotian, Samoan, Toisanese, and other unspecified languages.

#4: Comparison of LEP client and bilingual public contact staff ratios.

Figure 4-1. Ratio of bilingual staff and LEP client interactions

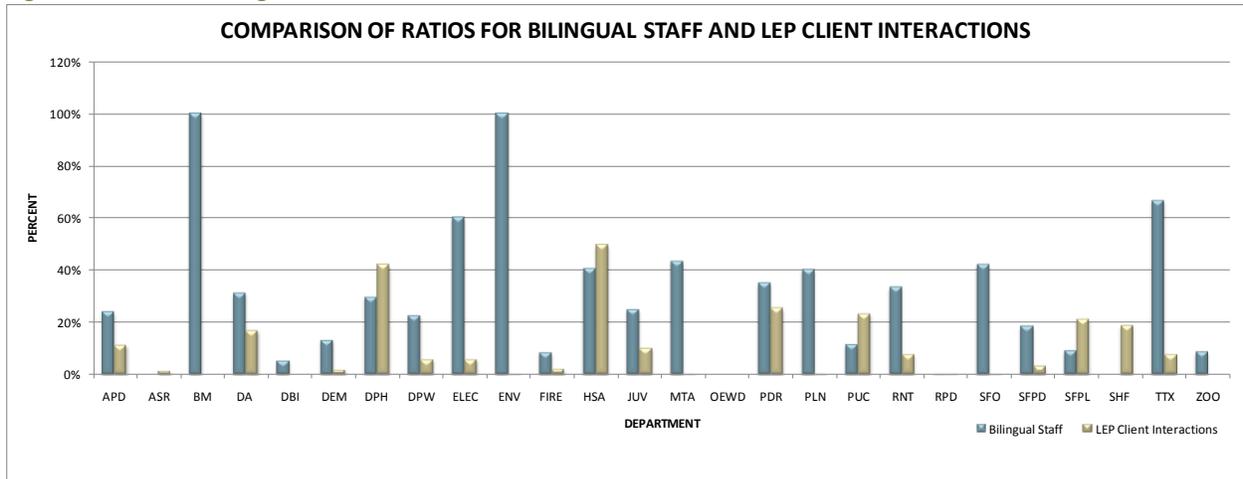


Figure 4-1 compares the percent of all LEP client interactions to the percent of all staff in public contact positions that are bilingual. Bilingual staff represent 24% of all public contact staff while LEP clients represent 8% of all client interactions for Tier 1 departments. Departments reported no significant disparity in the proportion of bilingual staff available relative to LEP clients served among departments. Additionally, most departments reported sufficient bilingual staff to meet LAO requirements and to serve LEP clients.

Table 4-2 provides information on various positions held by bilingual staff, as well as each department's self-assessment of the adequacy and gaps in the capacity of their bilingual staff.

Table 4-2. Description and Assessment of Bilingual Employees by Department

DEPT.	STAFF POSITIONS	MEETS LAO REQUIREMENTS	PLANS TO FILL VACANT PUBLIC CONTACT POSITIONS WITH BILINGUAL STAFF IN FY2011-12/GAPS
APD	Clerks, probation officers	√	None
ASR*	None		None
BM*	Public service aide, senior engineer		None
DA	Attorneys, paralegals, victim/witness advocates	√	DA does not have any vacant public contact positions. However, as positions become vacant during the fiscal year it will continue to work to hire the most qualified staff with language access capacity.
DBI*	Clerks, inspectors	√	None
DEM	Public safety dispatchers, public safety supervisors	√	None
DPH	Not specified	√	There are no plans for additional staff. However, vacancies are assessed for language waiver special conditions based on the needs of the location.
DPW*	Administrative analysts, assistant engineer, public relations officers	√	None
ELEC	Community development specialist, elections clerks, elections workers	√	There are no vacant public contact positions. ELEC will seek to hire more bilingual staff to fill as-needed for public contact positions in the Campaign Services, Voter Services and Pollworker Divisions.
ENV*	Environmental specialists, civil service trainees	√	None
FIRE	Captains, lieutenants, firefighters	√	Paid bilingual positions are filled by the annual bidding process. Employees eligible to bid for bilingual positions must be certified by DHR. Although nearly 2/3 of the designated paid bilingual positions are vacant, FIRE is confident in its ability to provide services to the population.
HSA	Clerk typists, protective services workers, senior eligibility workers, social work specialists	√	A survey of HSA's current staffing pattern indicates a need to either reassign or hire 42 individuals speaking Cantonese, Tagalog, Spanish and Russian. It should be noted that not all these positions are required/needed due to the possibility of reassigning staff and/or cases.
JUV	Counselors, deputy probation officers, stenographer	√	If the opportunity arises for JUV to hire line staff replacement positions, it will continue to enhance its recruitment efforts of bilingual candidates.
MTA	Public relations officers, station agents, transit fare inspectors		Every effort will continue to be made to fill public contact positions as resources allow and in keeping with current hiring procedures and protocols.
OEWD*	Senior community development specialists, workforce data specialists		None
PDR	Investigators, legal process clerks, social workers	√	None
PLN*	Executive secretary and senior clerk typist	√	None
PUC*	Public relations officers, senior water clerks, water service inspectors	√	When there is a vacancy the department will assess the need for bilingual staff and prioritize that need as necessary.

DEPT.	STAFF POSITIONS	MEETS LAO REQUIREMENTS	PLANS TO FILL VACANT PUBLIC CONTACT POSITIONS WITH BILINGUAL STAFF IN FY2011-12/GAPS
RNT	Citizen's complaint officers	√	RNT considers the community's demand for language skills when hiring new staff and generally advertises job openings in ethnic and non-English language media to recruit applicants with a wide variety of language skills. It is in the process of hiring one public contact position which requires Cantonese as a special hiring condition.
RPD*	Facility coordinator, recreation leader, recreation supervisors		In the coming year, RPD will work to assess its language access needs to better serve the public.
SFO*	Communications dispatchers, information volunteers, personnel analysts	√	Every effort will be made to hire qualified candidates with bilingual capabilities.
SFPD	Civilians, inspectors, police officers, sergeants	√	SFPD holds recruiting activities and seminars at events where a large number of bilingual and bicultural applicants are anticipated.
SFPL*	Librarian, library assistants	√	As vacant positions become available, SFPL plans to hire bilingual librarians in six positions, according to current perceived service needs. Following an internal review of 2010 US Census results, SFPL will develop a staffing plan to address any additional language service needs.
SHF	Not specified	√	None
TTX*	Account clerks, principal clerks, senior collections officers	√	None; TTX stipulates a required number of its service staff to have bilingual abilities as part of the job description. Thus it needs to maintain the current number of bilingual staff it employs and designate responsibility amongst that staff to oversee and/or assist with document translation and quality control.
ZOO*	Animal keeper, barista, payroll coordinator	√	None

*New Tier 1 Department

#5: Describe any telephone-based interpretation services used, including tracking LEP clients by call volume and language.

Most departments use an authorized vendor such as Language line to provide telephonic interpretation when bilingual staff are unavailable. Among the total 24,000 calls reported, 56% were conducted in Spanish, 27% in Cantonese, and 6% in Mandarin. Given that 26% of San Francisco residents speak Asian and Pacific Islander languages and 12% speak Spanish (Source: Census ACS 05-09), the high share of Spanish telephonic interpretation suggests that Spanish speakers are more comfortable with telephonic interpretation than Cantonese speakers. Community feedback suggests that Cantonese and Mandarin speakers do not access telephonic interpretation for various reasons, ranging from lack of awareness or outreach, to difficulty connecting to Chinese interpreters in a timely manner. Sixty-two percent of 26 Tier 1 departments use Language Line for telephonic interpretation. Fifty percent of departments keep track of LEP clients through their telephonic interpretation vendor.

Most Tier 1 departments depend heavily on bilingual employees and/or Language Line to meet translation and interpretation services needs. Sixty-two percent of departments reported using Language Line as their provider of telephonic interpretation.

Table 5-1 summarizes the volume of telephonic interpretation services by department and language for departments that track telephonic interpretation requests.

Table 5-1. Telephone-Based Interpretation Volume by Department and Language²⁵

DEPT.	TOTAL REQUESTS BY LEP CLIENTS	CALL VOLUME BY LANGUAGE						
		CAN	MDRN	RUS	SPN	TAG	VIET	Other
APD	47	7	0	0	33	0	0	7
ASR	355	260	48	1	36	0	3	7
DA	1443	357	149	125	636	0	83	93
DBI	283	78	0	0	205	0	0	0
DEM	14528	3,056	798	484	9,166	211	208	605
ELEC	2838	1,698	0	0	1,140	0	0	0
HSA	1274	329	145	74	467	29	138	92
JUV	77	8	7	0	25	2	2	33
MTA	415	89	38	2	275	2	2	7
PLN	140	80	30	0	30	0	0	0
RNT	53	28	10	2	7	0	4	2
RPD	150	74	18	0	55	0	0	3
SFO	527	11	78	13	198	2	3	222
SFPD	1593	276	134	47	935	9	54	138
TOTAL	23,723	6,351	1,455	748	13,208	255	497	1,209
% OF TOTAL	100.0%	26.8%	6.1%	3.2%	55.7%	1.1%	2.1%	5.1%

²⁵Based on self-reported data. Does not include departments that did not track requests for telephonic interpretation by language, except for ELEC, 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.

Figure 5-1. Top 15 Requested Languages for Telephonic Interpretation Services

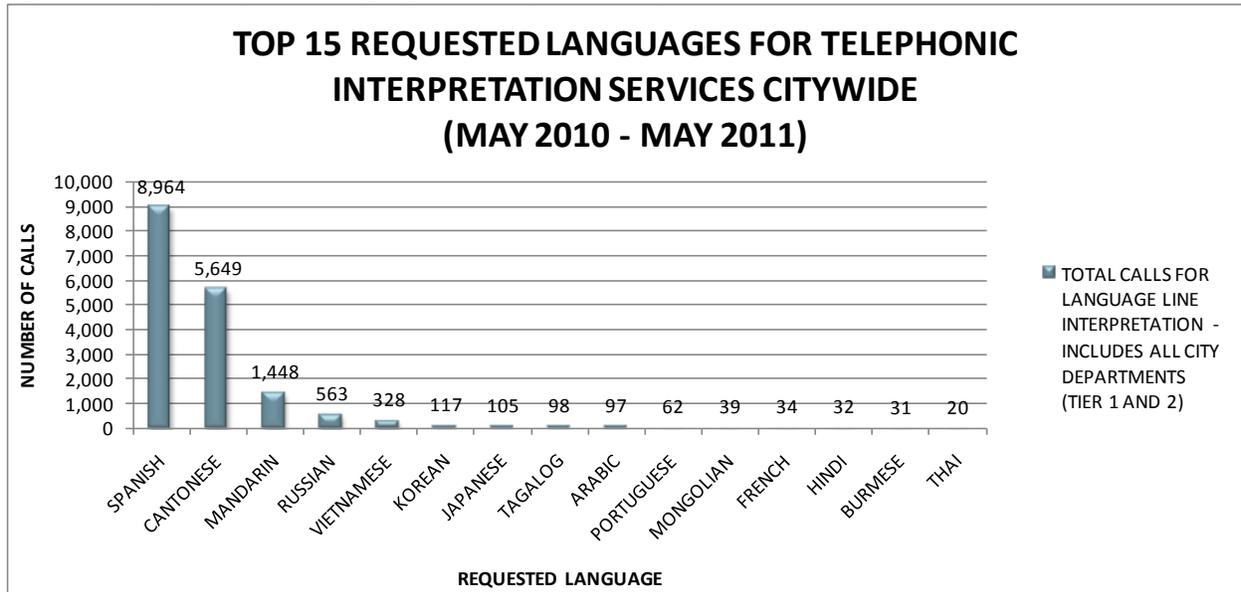


Figure 5-1 summarizes the volume of telephonic interpretation services by department and language for departments that track telephonic interpretation requests.

#6: Assess the procedures used to facilitate communication with LEP clients and indicate whether such procedures are adequate.

Table 6-1 describes current procedures that facilitate communication with LEP clients by departments; departments’ self-assessment on whether policies are adequate; and planned improvements for the next fiscal year. Seventy-three percent of twenty-six Tier 1 departments consider their procedures for serving LEP clients to be adequate; 54% have written policies in place; and 92% provide a summary of their procedures. Fifty-four percent plan an improvement of some kind for FY 11-12.

Table 6-1. Summary of Procedure for Serving LEP clients, Self-Assessment, and Planned Improvements by Department

DEPT.	SUMMARY OF PROCEDURE FOR SERVING LEP CLIENTS	ADEQUATE BY DEPT'S ASSESSMENT	IMPROVEMENTS PLANNED FOR FY2011-2012
APD	APD has bilingual staff in the Reception Area and assigns cases to bilingual officers based on language need. For other language needs, APD uses Language Line. In October 2010, APD issued a Bilingual Premium Policy which provides guidelines for the use of language skill, access to Language Line, and ensures compliance with bilingual translation/ interpretation reporting and compensation.	√	APD will implement the Bilingual Premium Policy throughout the department and assess the need to provide translation and interpretation services to clients as well as qualify bilingual staff as appropriate.
ASR*	All staff are familiar with and trained to use the Language Line dual-handset phones for any customers requiring such assistance.		ASR will publicize the availability of translation services available and is working with the Board of Equalization to develop more translated forms to be potentially used by all CA county assessors.
BM*	None		None
DA	The DA is committed to providing services to all LEP clients to the best of its ability and increasing its ability to serve LEP people with each new hire and obtained resources.	√	The DA will strive to expand its in-house ability to ensure multilingual capacity rather than depend upon individuals with other primary job functions, and would like to continue to teach Spanish and Cantonese classes to all employees, an initiative that was discontinued this year.
DBI*	DBI has designated Chinese and Spanish bilingual staff for walk-in customers and its inspection staff provides bilingual services on the field. DBI’s main telephone greeting allows customers to be transferred to someone that can assist them in a requested language.	√	DBI has increased the number of designated bilingual staff and has implemented a tracking system that will capture the number of customers assisted in person and over-the-phone. The list has been distributed to all supervisory staff for reference.
DEM	Bilingual staff are tasked to communicate directly with 911 callers when available. Otherwise, translation services are provided through Language Line.	√	None

DEPT.	SUMMARY OF PROCEDURE FOR SERVING LEP CLIENTS	ADEQUATE BY DEPT'S ASSESSMENT	IMPROVEMENTS PLANNED FOR FY2011-2012
DPH	DPH's clients are notified that they have a right to interpreter services. There are signs at service points in several languages that they can point to and an interpreter or telephonic interpretation will be used to assist them.		None
DPW*	DPW employs bilingual staff who routinely communicate with the public to solicit feedback on quality of life issues and conduct door to door outreach. Bilingual staff is available on-site to interpret, as well as employed to translate materials into appropriate languages.	√	None
ELEC	ELEC translates all voter materials into Chinese and Spanish and bilingual staff reviews the appropriateness of translations. ELEC maintains adequate bilingual staffing year-round. Voter information in Chinese and Spanish is provided on ELEC's website, and voter outreach is conducted in Chinese, Spanish, and Russian in order to inform communities about the voting process and the services available to LEP voters.	√	None
ENV*	Most LEP calls are directed to 311 or the customer service line at Recology, the recycling service provider. In house calls and communication are directed to bilingual staff.	√	None
FIRE	All 911 calls for FIRE are processed through DEM; calls received at headquarters or another office that require interpretation services are handled by the language service vendor or bilingual staff. On the scene of an emergency incident, bilingual members will assist LEP clients or request the assistance of a SFPD bilingual officer.	√	FIRE plans to conduct a bilingual member language survey and provide a mechanism to query daily list of one duty bilingual members, both certified and non-certified.
HSA	HSA has extensive protocols for working with LEP individuals, instructing staff on how to allow individuals to self-identify and record preferences; to access interpretation and translation services; and how to determine who is an acceptable interpreter for an individual.	√	None

DEPT.	SUMMARY OF PROCEDURE FOR SERVING LEP CLIENTS	ADEQUATE BY DEPT'S ASSESSMENT	IMPROVEMENTS PLANNED FOR FY2011-2012
JUV	JUV uses certified bilingual staff to provide direct services; if certified bilingual staff is unavailable, JUV relies on non-certified bilingual staff or the phone line. JUV has translated written materials available in five languages other than English, and makes arrangements for translators at public meetings and Probation Orientations as needed.	√	JUV continually seeks to improve its operations. It looks forward to the training provided by OCEIA and OCEIA's suggestions to improve JUV's protocols.
MTA	Oral language assistance is provided primarily through MTA's public contact staff. Over-the-phone oral assistance is provided via multilingual voice response systems and via the multilingual 311 Customer Service Center. On average, MTA produces between 100 and 200 public information documents in English, Spanish and Chinese per year.	√	Additional language capabilities in MTA's other public contact divisions would allow improved language assistance and additional translation of existing materials and website. MTA looks forward to working with OCEIA to develop a pilot training program that will supplement MTA's existing protocols for communicating with LEP customers.
OEWD*	None		None
PDR	PDR's front desk staff communicate with clients and or family members via telephone and in person. If there is a need for interpreters for languages other than those spoken by current employees, Language Line is utilized.	√	None
PLN*	PLN serves its LEP clients by utilizing Language Line the City's 311 Call Center. Bilingual staff is available to provide on-site interpretation services if requested.	√	As a new Tier 1 department, PLN is instituting procedures to collect the data required for reporting under the Language Access Ordinance.
PUC*	When a Spanish or Chinese speaker calls, the customer is transferred to a designated bilingual phone operator; if no translator is available, the customer is forwarded to a voicemail message. Bilingual staff attend community events when it is determined that non-English speakers will be in attendance.	√	None
RNT	When RNT receives a LEP client, staff first assesses the language assistance required. If a staff member with the appropriate language capability is available to assist the client, he is requested to assist the client; otherwise, Language Line is used.	√	None
RPD*	RPD's staff provides translation through third-party translations services or through bilingual staff. Although not all written documents have been translated, many park signs utilize universal icons.		RPD is exploring options to increase the translation of materials despite limited resources. It also plans to put systems in place that will better track its interactions with LEP individuals.

DEPT.	SUMMARY OF PROCEDURE FOR SERVING LEP CLIENTS	ADEQUATE BY DEPT'S ASSESSMENT	IMPROVEMENTS PLANNED FOR FY2011-2012
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 in over 20 languages.	√	SFO will continue to monitor its clients' language needs and recruit bilingual volunteers to staff the information desks.
SFPD	SFPD's protocol directs personnel to follow a specific order of preferred methods to communicate with LEP persons: first, use 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.		SFPD has implemented a more accurate method for personnel to track the frequency and languages spoken when communicating with LEP persons- 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*	Core library services are provided in multiple languages. Staff are 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.	√	When 2010 Census data is released, SFPL anticipates additional language requisitions as public service positions become vacant, continued 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 public programs and events, including those in other languages.
SHF	SHF provides on-premises translation services when available. If an interpreter is not available, Language Line is utilized.	√	None
TTX*	TTX relies upon its in-house certified translators and non-certified bilingual staff; the Mayor's Office of Neighborhood Services (MONS) 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.		TTX occasionally faces instances where it is unable to provide adequate translation services, which results in occasional service failure. In winter 2011, TTX will begin a subscription to Language Line, which it believes will adequately supplement its existing translation services.
ZOO*	In the past several years one or two requests made by LEP individuals were handled by the ZOO's bilingual staff. Any LEP-related requests will be handled on a case by case basis.	√	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.

*New Tier 1 Department

#7: Does the department offer employee development and training to maintain well-trained bilingual employees and general staff? Does the training include a description of quality control protocols for bilingual staff?

Departments reported translating approximately 1,660 individual documents (such as applications, written notices, complaint forms, and others) in Spanish, Chinese, Vietnamese, Russian, Tagalog, Korean, Japanese, Samoan, and other languages. The quality of these translations varies since 65% of 26 Tier 1 departments have designated staff to ensure translation accuracy. Methods used to ensure accuracy and cultural competency include verification by internal bilingual staff, reviews by members of local community organizations, and contracting with outside vendors.

Table 7-1 summarizes the training and quality controls for bilingual staff that ensure accurate translation and interpretation. Fifty-eight percent of departments reported that they offer training for bilingual staff and 38% reported maintaining quality controls. However, departments define training and quality controls differently (please see the Methodology section for more information).

Table 7-1. Summary of Training and Quality Controls for Bilingual Staff by Department

DEPT.	OFFERS TRAINING FOR BILINGUAL STAFF	QUALITY CONTROLS FOR BILINGUAL STAFF
APD	Yes; in 2009, APD offered a class that taught basic Spanish legal terms and phrases. In 2010, staff participated in language training sponsored by the Department on the Status of Women.	Yes; all employees that provide bilingual services to clients must be certified by the Department of Human Resources.
ASR*	No; ASR uses Language Line services as its means of communicating with LEP customers.	No
BM*	No	No
DA	No; DA offered a Spanish class to interested employees last year.	Yes; DA has designated staff to ensure the accuracy of translated materials.
DBI*	No	No
DEM	Yes; through the Office of Language Services, Elementary Spanish classes at City College were offered to staff. However, none of the staff completed the first training session or expressed interest in a second session.	No; Language Line provides the overwhelming majority of bilingual services. In addition, DEM's bilingual staff access Language Line for medical calls because the subject is more technical.
DPH	No; bilingual staff are trained in their various disciplines and utilize that training to serve LEP clients.	Yes; staff must pass the bilingual exam given by DPH, which tests on medical scenarios, in order to receive the bilingual premium.
DPW*	No	Yes; employees must be certified by the Department of Human Resources.
ELEC	Yes; in addition to training classes conducted in English, ELEC provides poll worker training classes in Cantonese, Mandarin, Spanish, and Russian.	Yes; the hiring process includes consideration of prior work experience and proofreading tests in English and the target language. All applicants must attain a perfect or near-perfect score on these tests to be considered for the position.
ENV*	No; ENV primarily refers LEP clients to 311 or phone operators at Recology.	Yes; bilingual employees must speak the language fluently enough to answer customer questions.
FIRE	No; the need for training in a particular language skill has not been identified for improving the provision of or access to FIRE's services.	No; FIRE relies on the Department of Human Resources' certification as its quality control for bilingual employees.

DEPT.	OFFERS TRAINING FOR BILINGUAL STAFF	QUALITY CONTROLS FOR BILINGUAL STAFF
HSA	Yes; HSA provides an array of training available to all staff. Portions of select trainings also cover working with special populations, including LEPs.	Yes; staff are certified through the Civil Service process, which involves testing in the designated language by the HSA Examinations Unit.
JUV	No; JUV provides mandatory training to staff in English, but does not provide continuing education in bilingual skills.	No; staff 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 and receives materials from Language Line which contain guidance on working with LEP customers. MTA has also discussed partnering with OCEIA for training purposes.	Yes; translated materials are reviewed by designated staff and/or external resources. Oral language assistance provided via 311 and public contact staff appears to meet the needs of our LEP customers.
OEWD*	No	No
PDR	No; PDR offers training to all employees which is directly related to the essential functions of their position.	No; PDR holds the same standards for all employees. In most cases, clients request information that is readily available, but needs to be communicated in Spanish or Cantonese.
PLN*	Yes; PLN offers Customer Service Training provided by the Department of Human Resources.	Yes; translated written materials are reviewed for technical accuracy by Planners. Bilingual staff work with Planners to ensure that services being requested via telephone are provided.
PUC*	PUC's Department of Human Resources provides training opportunities for all staff, in topics including diversity and accountability.	Yes; bilingual staff receives certification from Human Resources and differential pay.
RNT	Yes; RNT does not have specific training for bilingual staff, but 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 who are physically present to audit interactions with all clients.
RPD*	No; RPD offers general customer service training, which emphasizes the importance of serving all clients and finding solutions that help get the information conveyed.	No
SFO*	Yes; SFO offers various types of training to all employees, and provides training on Language Line through its Customer Service training.	Yes; all bilingual employees must be certified by the City and receive bilingual pay.
SFPD	Yes; SFPD conducts periodic training specific to serving LEP clients. The training is reinforced at least every two years during Roll Call and during in-service professional development.	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 can participate in any of the 1,071 training courses offered by SFPL. Designated staff attend international publishing festivals to enhance their knowledge of publishing trends and multilingual resources.	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; the Department of Human Resources provides a proficiency test for employees who wish to be certified as a bilingual employee.	Yes; the Department of Human Resources provides a proficiency test for employees who wish to be certified as a bilingual employee.

DEPT.	OFFERS TRAINING FOR BILINGUAL STAFF	QUALITY CONTROLS FOR BILINGUAL STAFF
TTX*	No; TTX intends to initiate a standard of training for bilingual staff, per the direction and guidance of the department head, senior management, the director of administration, and the LAO liaison.	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; once protocols are established the appropriate training will be undertaken. Training to assist in the management of the public during emergencies is performed for all staff.	No

*New Tier 1 Department

#8: Are there designated bilingual employees responsible for ensuring the accuracy of translated materials? If yes, list by language.

Table 8-1 lists the number of staff who are responsible for ensuring the accuracy of language translations in each department. Sixty-five percent of twenty-six Tier 1 departments reported having designated staff to ensure translation accuracy. Some departments do not have designated internal staff and several outsource this function. Only some departments ensure translations in the core languages. The majority of staff provide translations in Spanish and Chinese, including interpretation into Cantonese and Mandarin.

Table 8-1. Number of and Languages Spoken by Designated Staff Responsible for Ensuring Translation Accuracy

DEPT.	NO. OF DESIGNATED STAFF	LANGUAGES
APD	18	Cantonese, Russian, Spanish, and Tagalog
ASR*	Varies	Not reported
BM*	None	NA
DA	12	Cambodian, Cantonese, Chao-Chow, Danish, French, Mandarin, Russian, Spanish, Tagalog, and Vietnamese
DBI*	11	Cantonese, Mandarin, and Spanish
DEM	None	NA
DPH	2	None
DPW*	6	Cantonese, Mandarin, and Spanish
ELEC	4	Cantonese, Mandarin, and Spanish
ENV*	None	NA
FIRE	40	Cantonese and Spanish
HSA	579	Cambodian, Cantonese, Greek, Japanese, Korean, Laotian, Mandarin, Russian, Spanish, Tagalog, and Vietnamese
JUV	5	Cantonese, Mandarin, Spanish, Tagalog, Vietnamese, and other (not identified)
MTA	21	Cantonese, Hebrew, Mandarin, Punjabi Urdu, Romanian, Russian, Serbian, Spanish, and Tagalog
OEWD*	None	NA
PDR	None	NA
PLN*	Not reported	Cantonese, Mandarin, and Spanish
PUC*	5	Cantonese, Mandarin, and Spanish
RNT	2	Cantonese, Mandarin, and Spanish
RPD*	None	NA
SFO*	5	Mandarin and Spanish
SFPD	None	NA
SFPL*	16	Cantonese, Mandarin, Russian, Spanish, Tagalog, and other (not identified)
SHF	None	NA
TTX*	14	Cantonese, Mandarin, and Spanish
ZOO*	None	NA

*New Tier 1 Department

#9: Has the department translated all written materials required under the LAO and has the department provided a list of all translated materials by language?

As indicated in Table 9-1, Tier 1 departments reported a total of 1,700 translated materials and the respective languages used in the translations, including many core languages.

Table 9-1. 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*	4	Forms, written notices, and important written documents	Chinese, Japanese, Russian, Spanish, Tagalog, and Vietnamese
BM*	0	NA	NA
DA	1	Program materials	Chinese and Spanish
DBI*	26	Written notices and important written documents	Chinese and Spanish
DEM	Not reported	Written notices and program materials	Chinese, Russian, Spanish, Tagalog, and Vietnamese
DPH	128	Forms, written notices, program materials, and complaint forms	Chinese, Russian, Spanish, Tagalog, Vietnamese, and other (not identified)
DPW*	Not reported	Written notices, program materials, complaint forms, and important written documents	Chinese and Spanish
ELEC	69	Applications, forms, written notices, program materials, and important written documents	Chinese, Russian, and Spanish
ENV*	30	Program materials	Chinese, Korean, Russian, and Spanish
FIRE	5	Forms, written notices, written tests, program materials, complaint forms and important written documents	Chinese, Japanese, Russian, Spanish, Tagalog, and Vietnamese
HSA	339	Applications, forms, written notices, program materials, complaint forms, and important written documents	Chinese, Russian, Spanish, Tagalog, and Vietnamese
JUV	16	Forms, written notices and important written documents	Chinese, Samoan, Spanish, Tagalog, and Vietnamese
MTA	312	Applications, forms, written notices, program materials, complaint forms, and important written documents	Chinese, Spanish, Vietnamese, and other (not identified)
OEWD*	Not reported	Program materials	Chinese and Spanish
PDR	4	Applications, forms, written notices, and program materials	Chinese and Spanish
PLN*	Not reported	Written notices and complaint forms	Chinese and Spanish
PUC*	Not reported	Program materials	Chinese and Spanish
RNT	501	Applications, forms, written notices, program materials, and important written documents	Chinese, Spanish, Tagalog, Vietnamese, and other (not identified)
RPD*	Not reported	NA	Not reported
SFO*	1	Comment card	Chinese, French, German, Italian, Japanese, Russian, and Spanish

DEPT.	NO. OF TRANSLATED DOCUMENTS	TYPES OF TRANSLATED DOCUMENTS	LANGUAGES
SFPD	15	Forms, written notices, and program materials	Chinese, Russian, Spanish, Tagalog, and Vietnamese
SFPL*	168	Applications, forms, written notices, program materials and important written documents	Chinese, Japanese, Korean, Russian, Spanish, Tagalog, and Vietnamese
SHF	5	Forms, written notices, program materials, and complaint forms	Chinese, Russian, Spanish, Tagalog, and other (not identified)
TTX*	8	Applications and program materials	Chinese, Spanish, Tagalog, and Vietnamese
ZOO*	0	NA	NA

*New Tier 1 Department

#10: Describe the department’s procedures for accepting and resolving complaints of alleged violations of the ordinance.

In FY 09-10, no complaints of LAO violations were reported to OCEIA by departments. However, departments reported receiving 19 LAO complaints in FY 09-10, 100% of which were resolved internally. Although the number of LAO complaints relative to total complaints received is small (.009%), it is important that departments forward all complaints to OCEIA with an explanation of how the complaint was resolved.

Tables 10-1 and 10-2 describe the methods for accepting complaints of alleged violations of the LAO by department and how complaints were received. All departments reported providing multiple complaint methods to the public, although many did not indicate whether complaint procedures were publically posted. Thirty-eight percent of departments have written and publically posted complaint procedures, including APD, DA, DPH, DPW, FIRE, HSA, MTA, SFO, and SFPD. The most commonly used method for accepting and resolving complaints is in writing via US mail (92%, 88% respectively), followed by telephone (88%, 81%) and in person (85%, 85%).

Table 10-1. Complaint Procedures by Department

DEPT.	WRITTEN & PUBLICALLY POSTED	DESCRIPTION OF PROCEDURE
APD	√	Citizen complaints may be filed to the Chief Adult Probation Officer. Complaints are reviewed by the employee’s supervisor unless a reason exists to proceed otherwise. A written report of the results of the investigation is forwarded to the Chief Adult Probation Officer within 5 days of completion. At the conclusion of the review the complainant is notified of the results as well as any action taken to ensure full compliance with the LAO.
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 office manager accepts the complaint and forwards it to the staff member designated for ensuring the accuracy and appropriateness of the translation for each language. After review, the person and office manager will 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 brought up to the Deputy Director of the particular Program who in turn will discuss with the Director and Human Resources staff.
DEM		Staff members look at the Computer Aided Dispatch system to identify any delay in translation, and send a complaint to Language Line if necessary.
DPH	√	SFGH has a patient/visitor concern/grievance policy. The Patient Advocate Office acknowledges the complaint in writing and it assigned to the appropriate department or discipline for response.
DPW*	√	Covered under Title VI Procedure 3.3.7- Processing Discrimination complaints “National Origin”- See Title V1 Attachment
ELEC		The Director approves all resolutions to complaints made that are a potential violation of the LAO. The Director works with the managers and bilingual staff for information about any issue and may seek advice in resolving complaints.
ENV*		Not reported.
FIRE	√	The current written complaint procedures apply to all complaints. Fire Commission meeting agendas and the website are being amended to include language access information and procedures, including complaint forms. FIRE plans to improve access to written complaint procedures in English, Spanish and Cantonese.
HSA	√	All complaints can be registered with the HSA’s Civil Rights Officer or with the State’s Office of Civil Rights. If a complaint is registered, HSA will investigate the complaint and take actions to remediate the situation as allowable. HSA maintains a log of all complaints registered and their disposition.

DEPT.	WRITTEN & PUBLICALLY POSTED	DESCRIPTION OF PROCEDURE
JUV	√	JUV follows the citizen complaint procedure pursuant to 832PC. Administrative Manual, Policy 7.2, "Citizen Complaint," and its complaint procedures are posted online. The procedures state how to submit complaints and refer complaints related to discrimination and the Sanctuary City Ordinance to the Human Rights Commission.
MTA	√	Complaint forms are available in the Customer Service Center and the Discount ID Office in Spanish and Chinese. Division managers notify the LAO program coordinator within 15 days of receiving a complaint and discuss how to resolve the incident and avoid future complaints. A copy of all complaints will be forwarded to the Office of Civic Engagement and Immigrant Affairs within 30 days.
OEWD*		OEWD resolves complaints in accordance with applicable regulations.
PDR		Complaints should be addressed to Sandy Chan, Human Resources Manager, at 555 7th Street, San Francisco, CA 94103. To date, no complaints have been filed.
PLN*		Complaint forms are available at public counters. If PLN receives a complaint, its first recourse is use Language Line or bilingual staff. The Chief Administrative Officer or his designee work with the client, an interpreter, and the public contact employee to resolve the complaint in an appropriate manner.
PUC*		PUC is currently developing a process for accepting and resolving complaints.
RNT		Staff is instructed to promptly address requests related to the LAO and forward issues regarding availability of services to senior staff for immediate attention. RNT's policy of providing immediate service is understood by all staff and has not been made into a written policy. RNT also contracts with six community based organizations to provide outreach services to their respective communities.
RPD*		All complaints related to the LAO are routed through the Communications Office. In the coming year, RPD will assess its language access needs and develop a plan to better serve the public.
SFO*	√	SFO accepts complaints via the internet, telephone, letter, and comment cards. All complaints are responded to within 7 business days.
SFPD	√	Complaints directed at SFPD personnel can be made to the Office of Citizen Complaints (OCC). When a complaint is filed, an investigator is assigned to examine the complaint and make one of ten determinations. Complaints resolved as sustained, policy failure, and training failure are forwarded to the Police Chief and the Police Commission, who will determine the appropriate disciplinary action.
SFPL*		Comments are collected and distributed to the related division manager. Comments that suggest a violation of policy are reviewed by the City Librarian or designee and appropriate action is taken by SFPL's management team.
SHF		Complaints can be filed with the Investigative Services Unit or at the main office in City Hall. Follow up is performed by the Investigative Services Unit or referred to appropriate staff. A grievance system is in place in the jail system to respond to complaints by prisoners. Follow up is done by the Investigative Services Unit or staff of the jail facility named in the complaint.
TTX*		TTX utilizes a Customer Service Feedback (CSF) response form to receive service ratings and field feedback. The form is available at all service areas and upon request, but currently is available only in English. Questions are responded to by the Customer Service Manager or a designee. Complaints and praise are provided to the section supervisor or manager in question for follow-up.
ZOO*		Complaints are submitted through staff who have contact with the public and then referred to the appropriate department for handling.

*New Tier 1 Department

Table 10-2 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*	√	√	√	√	√		√	√	√	√	√

*New Tier 1 Department

#11: What are the changes between the Department’s previous annual reporting form and the current submission? Indicate how the Department’s current strategies, procedures, and proposed solutions to achieve LAO goals improved language services from the previous year.

Table 11-1 summarizes changes from the previous annual reporting form by addressing planned improvements for providing language services; barriers to complying with the LAO and proposed solutions; and planned redistribution of resources to meet gaps in service.

Table 11-1. Summary of Planned Changes, Improvements, Barriers & Redistribution of Resources by Department

DEPT.	OVERALL CHANGES	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
APD	APD reported an increase in the number of LEP clients, which reflects its improved tracking of LEP clients in its case management system.	APD assigns bilingual staff to LEP clients. If staff is not available, Language Line is used. Staff reports great satisfaction with Language Line and believes APD has sufficient personnel to meet its clients’ needs.	APD believes it has enough bilingual personnel to meet the needs of our clients and the translation of forms used by the department.	APD has allocated existing resources to meet the language needs of its clients and the general public.
ASR*	This is the first year that ASR has submitted a report.	This is the first year that ASR has submitted a report.	ASR faces a lack of demographic data regarding its clients and lack of funds to support more translation services.	ASR is working with the BoE to advocate for the translation of more BoE forms. If efforts to publicize Language Line in the next fiscal year result in increased client volume, ASR is likely to obtain another dual-handset.
BM*	In conversation with the Office of Civic Engagement and Immigrant Affairs.	In conversation with the Office of Civic Engagement and Immigrant Affairs.	In conversation with the Office of Civic Engagement and Immigrant Affairs.	In conversation with the Office of Civic Engagement and Immigrant Affairs.
DA	DA has improved language access through the use of Language Line telephones, and has added more bilingual staff to its Victim Witness, Elder Abuse and Consumer Mediation units.	DA reviews its ability to reprint multilingual public material and Language Line usage in order to promote wide utilization. It is also assessing all points of initial communication to determine additional opportunities to provide language access.	The greatest barrier is finding wide and varied language skills among the specialized staff that it employs, and faces a similar challenge when filling positions, as language access is not the only consideration when hiring.	DA has a list of bilingual staff who are capable of providing language translations and can be called to a particular part of the office when they are called. Eight language lines are also available throughout its offices.

DEPT.	OVERALL CHANGES	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
DBI*	This is the first year that DBI has submitted a report.	DBI increased the number of designated office bilingual staff from 13 to 25. DBI will be implementing a new service that will allow customers to schedule inspections over-the-phone in English, Chinese, and Spanish.	DBI faces no barriers; it provides bilingual services at the level required by its customers.	Bilingual office staff are assigned throughout the department and in its three main programs. Bilingual inspectors are assigned to districts with the most bilingual population.
DEM	No changes.	No changes.	No changes.	No changes.
DPH	NA	NA	NA	NA
DPW*	This is the first year that DPW has submitted a report.	DPW currently meets required LAO goals.	DPW currently meets required LAO goals.	DPW currently provides adequate resources to the LEP community. In order to meet gaps in translated materials, DPW must reallocate budgets from reproduction to focus on translation needs.
ELEC	There are no significant changes.	ELEC currently meets the required LAO goals.	ELEC currently meets the required LAO goals.	ELEC meets current language service needs, and does not intend to redistribute any resources.
ENV*	This is the first year that ENV has submitted a report.	NA	NA	NA
FIRE	FIRE's current annual reports provide more detail and outlines specific goals, plans, strategies and procedures.	FIRE is confident in its ability to provide services given current language capabilities, but plans to utilize available resources in a more efficient and productive manner.	More could be achieved with specialized computer software, additional financial resources, and more evidence of the need for more language resources.	If additional needs arise, FIRE will use funds from the General Operating Budget, utilize the skills of bilingual personnel, and may seek assistance from employee groups.
HSA	The current compliance plan provides additional information about the language composition of HSA's clientele and revised goals to improving access to services for LEPs.	HSA tries to maintain a staffing pattern that reflects its client base. It conducts an annual language service needs/staffing review and has a bilingual services committee to help address gaps and improve access to services.	HSA has sustained cuts that resulted in staffing and budgetary reductions despite rising caseloads. It provides adequate staffing and Language Line access to LEP clients, but postponed translation of its website.	HSA's Senior Management Team meets weekly to review staffing requests, and takes language needs into consideration when prioritizing which positions to fill.

DEPT.	OVERALL CHANGES	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
JUV	JUV will continue the same best practices to meet its clients' needs. JUV has translated the Parent Guide to the Juvenile Justice system and made it available online and to community agencies.	JUV's goal is to make its work with LEP people part of its Standard Operating Procedure and emphasize the value of strong consumer relations and facilitating communication in the language spoken by clients.	The most prominent barrier is the lack of personnel to perform on-site translation services. While Language Line is helpful, it is not as beneficial as having a person on-site to help with translation.	None
MTA	In the current compliance plan, Section A covers the time frame of July 1, 2009 – June 30, 2010, so there are minor changes from MTA's previous submission. Section C has also been updated.	MTA will continue to provide multilingual assistance and information to its LEP customers and will partner with city departments and organizations to meet needs and conduct community outreach.	Budget deficits have impacted staffing and resources. Until the budget situation improves, MTA will rely on bilingual staff and external resources, such as city departments and local community groups.	Assistance from bilingual public contact staff outside of the Community Outreach team can be utilized to assist with written and oral language assistance for LEP customers as appropriate.
OEWD*	This is the first year that OEWD has submitted a report. OEWD will develop a plan for 2011-12.	NA	NA	NA
PDR	There are no barriers as the department is able to meet LEP client needs.	There are no changes to the existing plan. PDR is able to meet LEP client needs.	PDR faces no barriers and is able to meet LEP client needs.	PDR has distributed resources efficiently and is able meet LEP client needs.
PLN*	This is the first year that PLN has submitted a report.	NA	NA	PLN has sufficient resources allocated to meet its language needs.
PUC*	This is the first year that PUC has submitted a report.	NA	NA	PUC plans to designate a LAO liaison; use existing staff and data entry methods to track demographic data; and utilize bilingual staff for language services.
RNT	RNT's plan includes updated information, such as performance measures and the increase in translated documents and demand for interpreters.	RNT continues to increase the accessibility of translated documents. The vast majority of its materials available in Chinese and Spanish on its website, fax back, and info to go voice systems.	Although RNT continues to face many barriers to service delivery, it believes it has achieved compliance and excellent service to LEP communities.	RNT believes it is meeting the needs of the LEP community, but is seeking budget increases to better assist the community with greater language accessibility.

DEPT.	OVERALL CHANGES	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
RPD*	This is the first year that RPD has submitted a report. In the coming year, RPD will assess its language access needs to better serve the public.	In the coming year, RPD will work to assess all of its language access needs to better serve the public.	RPD faces a lack of resources.	Initial solutions include: identifying additional bilingual employees for DHR certification and creating a volunteer base of department translators for emergencies and crisis situations.
SFO*	This is the first year that SFO has submitted a report.	SFO will continue to monitor LEP needs and ensure that all LEP traveling public have access to airport services.	SFO is in compliance with LAO goals as they apply and faces no barriers.	Resources will be redistributed according to need.
SFPD	The current submission provides more detailed information, including its budget, protocols for communicating with LEP persons, and the complaint process for LAO violations.	Personnel are directed to enter a computer comment for each call-for-service involving LEP persons and the language spoken. A database query will allow a more accurate count of these encounters.	Due to the low number of LAO-related complaints, no obvious key barrier has been identified that has prevented the Department from achieving LAO goals.	No redistribution of resources is anticipated since SFPD has a written protocol regarding compliance with the LAO that is enforced by an independent oversight body, the Office of Citizen Complaints.
SFPL*	This is the first year that SFPL has submitted a report.	NA	NA	NA
SHF	There are no changes to report.	SHF's current LAO goals are adequate for all interactions with clients with limited English speaking capabilities.	SHF believes there are no insurmountable barriers related to clients with limited English speaking capabilities.	The redistribution of resources is not necessary to meet language service gaps as none have been identified.
TTX*	This is the first year that TTX has submitted a report. TTX intends to review existing compliance levels and develop a set of compliance strategies and goals.	Plans to achieve compliance include generating awareness of LAO requirements within TTX, allocation of staff and resources, and a formalized approach to respond to feedback from the public.	TTX feels that it was compliant and successful as a Tier 2 department. TTX is significantly out of compliance with its new Tier 1 status, but is taking steps to remedy this.	If gaps are identified, TTX will ask managers to allow increased availability of bilingual staff for language services and encourage hiring staff with bilingual language capabilities.
ZOO*	This is the first year that ZOO has submitted a report.	ZOO plans to capture demographic information for requests and complaints if they occur.	There are no barriers, as ZOO was not previously required to have LAO goals and proposed solutions.	There is no need for ZOO to redistribute resources at this time.

*New Tier 1 Department

#12: Did the department submit a plan listing annual goals for the upcoming year and was an assessment of the department’s success at meeting last year’s goals included?

The Language Access Ordinance requires Tier 1 Departments to provide documentation on specific plans and policies, including a written policy on providing services to LEP clients. Table 12-1 summarizes goals and progress from the previous year.

Table 12-1. Summary of Current Plans and Goals; Assessment of Meeting Previous Year’s Goals by Department

DEPT.	PLAN & FY2011-12 GOALS SUBMITTED	ASSESSMENT OF GOALS FROM FY2010-11
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 polices.	For FY 2010/2011, APD has been in full compliance with its goal to adhere to the City’s standards for language services to its LEP clients. Roughly 24% of public contact positions are filled by bilingual staff, who speak languages that include Spanish, Cantonese, Mandarin, Russian, Spanish, and Tagalog.
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.	This is the first year that this department has submitted a report.
BM*	None reported	None reported
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.	DA has met its goals to hire bilingual employees in its public contact positions, especially in its Victim Witness Unit. Staff is aware of the eight language lines placed throughout the office. DA still plans to translate additional materials and the website into key languages.
DBI*	None at this time; this will be provided next fiscal year	None at this time; this will be provided next fiscal year
DEM	DEM's goal is to continue to provide fast and accurate oral translation services for 911 callers and accurate written materials in multiple languages.	DEM is satisfied with its progress in meeting LEP goals.
DPH	Not reported	Not reported
DPW*	DPW plans to educate employees on the requirements of the LAO 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.	NA

DEPT.	PLAN & FY2011-12 GOALS SUBMITTED	ASSESSMENT OF GOALS FROM FY2010-11
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 implementing various 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 met its LAO goals for FY2010-11 to increase the number of bilingual poll workers on Election Day and educate poll workers on the mandated bilingual requirements in poll worker training and on Election Day procedures on how to properly process and assist LEP voters. It also expanded services to the community through partnerships with community-based organizations.
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 has no written assessment of goals.
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 made efforts in reestablishing benchmarks, identifying areas of weaknesses & strengths, and focusing on cost-effective goals that will improve access to services for persons who have limited English language skills.
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.	It was determined that it is too cost prohibitive to translate the entire website at this time. HSA is embarking upon creating a quick reference section that would provide basic programmatic information as well as contact and service hour information. This section will be translated into the main threshold languages and made available on the homepage.
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 the Office of Civic Engagement and Immigrant Affairs to review its protocols for communicating with LEP clients.	JUV has completed the translation and printing of the Parent Guide to the Juvenile Justice System into key languages, with the Samoan translation nearly completed, and has made it readily available to the public and community-based organizations. JUV worked with OCEIA in the past year, but did not discuss if improvements could be made to its protocols or how to gather LEP information by supervisorial district.

DEPT.	PLAN & FY2011-12 GOALS SUBMITTED	ASSESSMENT OF GOALS FROM FY2010-11
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.	Due to limited resources, MTA has been unable to hire additional bilingual staff, but will keep this goal for FY2010-FY2011. Language assistance at community meeting and for specific public outreach campaigns has improved, and MTA continues to improve the accessibility of its website by posting customer information in Spanish and Chinese. MTA tracked requests through the Q-MATIC tracking system and Language Line, and in 2011, will conduct a ridership survey with questions focused on ridership demographics, including LEP status. Data from this survey will help MTA collect and analyze demographic information and better assess the needs of our LEP customers.
OEWD*	Not reported	Not reported
PDR	PDR plans to translate additional materials into Cantonese and Spanish.	The 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.	This is PLN's first year as a Tier 1 department, so no FY2010-11 goals exist at this point.
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.	PUC is a new Tier 1 department and has not previously submitted goals.
RNT	Not reported	RNT is increasing the number and accessibility of its translated documents. It anticipates having 252 translated documents and increasing accessibility from 678 to 702 locations.
RPD*	In development	In development
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.	SFO tracks LEP needs through Language Line invoices, customer 'Comment Cards', emails, and the annual SFO Customer Survey. Written protocols for the use of Language Line have been posted and provided to all information desks. Through the use of Language Line, bilingual volunteers and employees the LEP customers' needs are being met. SFO will continue to monitor LEP needs.
SFPD	Not reported	Not reported
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 is a new Tier 1 department and has not previously submitted goals.

DEPT.	PLAN & FY2011-12 GOALS SUBMITTED	ASSESSMENT OF GOALS FROM FY2010-11
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.	Not reported
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.	Since this is TTX's first compliance plan, it does not have a previously published set of official goals. However, TTX has made successful efforts to meet the verbal translation needs of its LEP clients and in posting most of its "ad hoc" signs in the office in three languages.
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.	Since ZOO's goals have just been put into place, they will be assessed over the next year.

*New Tier 1 Department

Table 12-2 indicates which Tier 1 departments currently have a written policy on providing services to LEP clients and provided an example in their annual compliance plan filing as required by the LAO.

Table 12-2. 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
ASR*		Did not provide a written policy.
BM*		Did not provide a written policy.
DA	√	To provide services to any limited English speaking person to the best of the department's ability. DA is committed to attaining the goals of this Ordinance and strives to increase its ability to serve LES people.
DBI*		Did not provide a written policy; a written policy is in development.
DEM	√	Bilingual staff are tasked to communicate directly with 911 callers when available. Otherwise, translation services are provided through Language Line.
DPH		Did not provide a written policy.
DPW*	√	Policies include: Title VI Report; 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 2010 Election and Voter Outreach and Education Program for November 2010 Election
ENV*	√	Most LEP calls are directed to 311 or the customer service line at Recology, the recycling service provider. Calls/communications that need to happen in house are directed to bilingual staff.

DEPT.	PROVIDED WRITTEN POLICY ON PROVIDING SERVICES TO LEP PERSONS	POLICY/EXAMPLES OF WRITTEN POLICY
FIRE	√	SFFD General Orders & Department Issued Notices: 311 Language Line Access & Instructions for using 311 Language Line; GO 00 A-58 "Bilingual Proficiency Test Results/Policy Regarding Bilingual Spots"; GO 97 A-46 "Bilingual Services, AT&T Contract for Translators"; Station-Based Training (Dec. 2010) "Understanding Cultural Differences in People"; and SF Firefighters Union Local 798, M.O.U. "Bilingual Assignment Pay"
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"
MTA	√	Language Assistance Plan (Dec. 2010, updated Spring 2011)
OEWD*		Did not provide a written policy.
PDR	√	Manual of Policy and Procedures, Section 15 "Non-English Speaking Clients"
PLN*		Did not provide a written policy; a written policy is in development.
PUC*		Did not provide a written policy.
RNT		Did not provide a written policy.
RPD*		Did not provide a written policy.
SFO*	√	Protocols for Service to LEP Customers
SFPD	√	SFPD General Order 5.20 "Language Access Services for Limited English Proficient (LEP) Persons"
SFPL*		Did not provide a written policy.
SHF	√	Inter-Office Correspondence re: Translation Services
TTX*		Did not provide a written policy; a written policy is in development.
ZOO*		Did not provide a written policy; a written policy is in development.

*New Tier 1 Department

#13: How does the department track and identify clients?

Table 13-1 provides an overview of the general client population served by each department, as well as how each department tracks the number and characteristics of their client population.

Table 13-1. Demographic Information of Clients and Tracking Methods

DEPT.	PRIMARY CLIENTS	SECONDARY CLIENTS	TRACKING METHOD
APD	Probationers		APD tracks clients by age, race, gender, and language.
ASR*	N/A	N/A	ASR currently tracks demographic information through two methods. First, through the number of annual Notification of Assessed Value (NAV) letters sent out in Spanish or Chinese; and Language Line statistics. Language Line provides a breakdown of the number of LEP clients requiring Language Line's simultaneous interpretation services. However, the clients served by Language Line are a subset of ASR's LEP population.
BM*	City Hall Staff	Vendors	None
DA	Victims and other witnesses of crime.	N/A	DA's demographic information is collected by the Victim Witness Unit, which tracks information on victims and witnesses' age, ethnicity, race, disability, gender, and language spoken; FOPP (First Offender Prostitution Program), which tracks race, language, gender, and age; and the Consumer Mediation Program, which tracks language spoken.
DBI*	Contractors, design professionals, and homeowners	N/A	DBI tracks the number of phone calls received on the Chinese and Spanish bilingual lines. Effective January 1, 2011, DBI will also track the number of customers assisted in person, as well as the language serviced (Chinese and Spanish only).
DEM	Residents, visitors, and workers who call 9-1-1 for emergency services. Primary clients also include police officers, firefighters, and paramedics who rely on DEM for dispatch services.	Members of the who receive disaster preparedness information through the City's 72hours.org website, community meetings, and public events	DEM provides translation to 9-1-1 callers in 185 languages through our vendor Language Lines Services. DEM gathers annual information on the languages spoken by 9-1-1 callers who require translation services. The Department's vendor gathers this information for the calendar year.
DPH	San Francisco residents requiring medical attention.	N/A	Tracks client information for age, gender, race, income, and primary language.
DPW*	N/A	N/A	Does not track demographic information.

DEPT.	PRIMARY CLIENTS	SECONDARY CLIENTS	TRACKING METHOD
ELEC	Provided Largest populations of various demographics: Age: 25-44, 45-64 Foreign Born: China, Philippines Language Preferences: Chinese and Spanish	N/A	ELEC maintains information of approximately 470,000 registered voters in accordance with federal, state and municipal laws. When registering to vote, persons are required to provide certain information on the Voter Registration Form. Upon registration, voters also can indicate a language preference for one or more of seven languages listed on the form: English, Spanish, Chinese, Vietnamese, Korean, Tagalog, or Japanese.
ENV*	All residents and businesses in San Francisco.	N/A	Does not track demographic information.
FIRE	SFFD's primary "clients" are those on the scene of a 911 dispatch for a fire, rescue and/or medical emergency. Clients may be any SF resident, but also any person who works in, visits or passes through San Francisco and/or SF International Airport.	Businesses performing services within San Francisco, people who work in San Francisco, and domestic and international visitors.	FIRE tracks clients through various methods, including 911 call intake and dispatch (through DEM, which oversees the intake of 911 calls), at the scene of an incidents, where the need for interpretation is identified, at the San Francisco International Airport, as calls initiated for SFFD-related services are included on the SFIA Language Line account; and through emergency medical services, where patient information is captured for the patient's medical record (however patient data is protected by federal and state law).
HSA	HSA is comprised of two departments: the Human Services Agency and the Department of Aging and Adult Services, and provides services to young and old, individuals and families, including pregnant and parenting women, emancipated foster youth, veterans, and immigrants.	CalWORKs and PAES participants, residents are demonstrably at or below 200% of the federal poverty level.	In general, the Agency captures client's date of birth, race, gender, ethnicity, language, income and address.
JUV	Juveniles between the ages of 11-17 who have either been arrested or have been adjudicated of an offense and are made a formal ward of the court. If a youth turns 18 while under our jurisdiction, they will often remain as a ward of the Juvenile Probation Department until the court terminates their probation.	Parents and guardians of the youth that come under our jurisdiction.	JUV uses the REGGO method (Race, Ethnicity, Gender, Geography and Offense), which is a national juvenile justice best practice, to track its clients. It also tracks clients by age, primary language, category of charge (felony/misdemeanor), and length of stay in Juvenile Hall. JUV produces an annual statistical report to analyze its population, which are posted on its internet site and are accessible to the public.

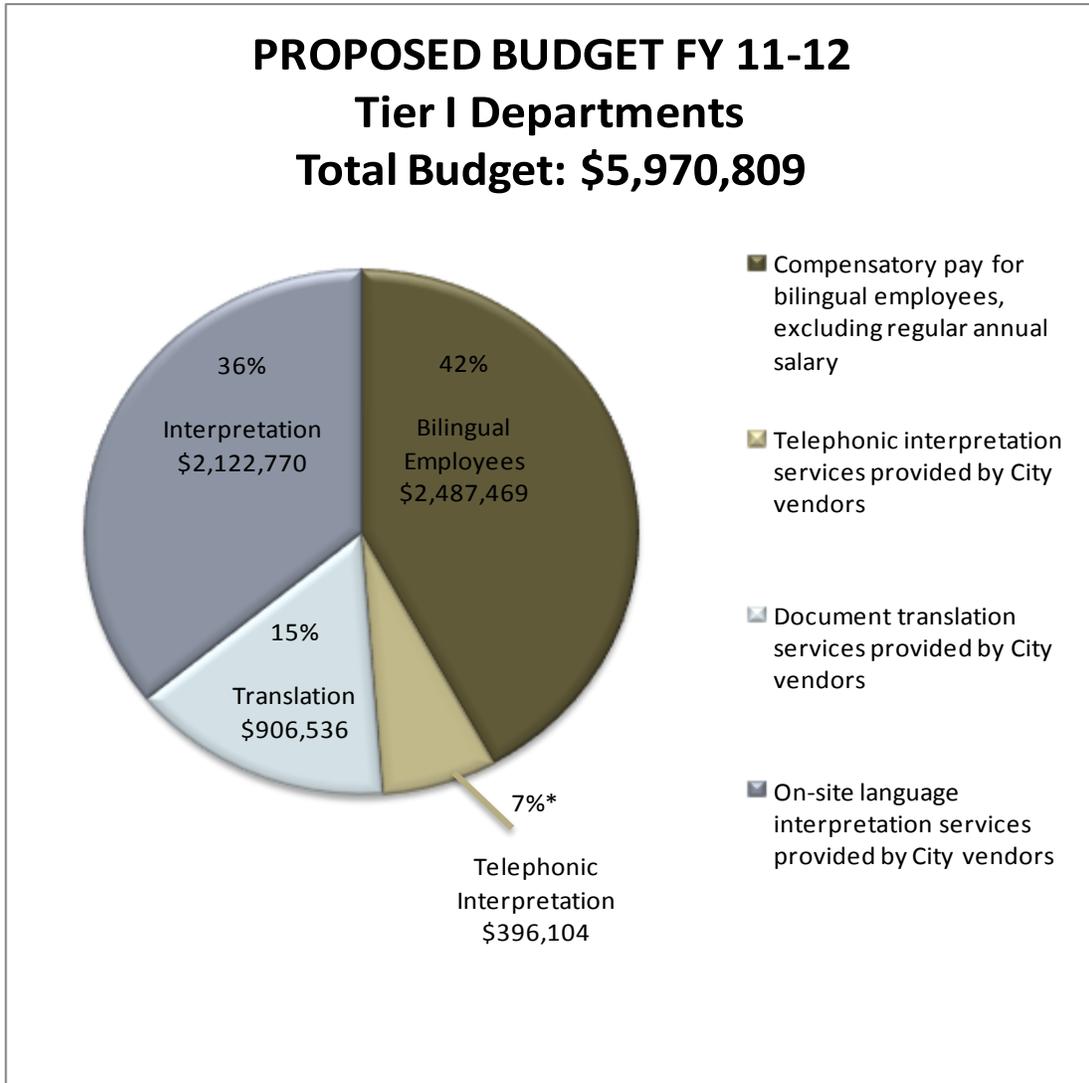
DEPT.	PRIMARY CLIENTS	SECONDARY CLIENTS	TRACKING METHOD
MTA	Primary clients include San Francisco residents, workers, students, local visitors and tourists; non-resident commuters and other transit riders.	N/A	Telephonic requests are tracked through Language Line usage, while requests by walk-in customers in the SFMTA Customer Service Center for language assistance in Spanish or Chinese are tracked through an electronic queue system, QMATIC Q-Win. MTA also tracks the number of Lifeline passes issued to customers.
OEWD*	N/A	N/A	OEWD is a contracting agency and does not provide services to San Francisco residents.
PDR	Juveniles and adults	Families of juveniles and adults.	Does not track demographic information.
PLN*	Developers, property owners, business owners, tenants, consultants that provide environmental review services, elected and appointed officials.	N/A	PLN does not track information because it is not pertinent to the services provided. Since PLN became a Tier 1 department, it has begun tracking language requests for non-English speakers.
PUC*	San Francisco residents and residents in Alameda, Santa Clara, San Mateo, and Tuolumne counties	N/A	PUC currently does not track demographic information. Because of the nature of services provided, demographic data reflects information gathered by the U.S. Census Bureau for the City and County of San Francisco.
RNT	Landlords and tenants in San Francisco.	N/A	RNT tracks language requirements through its use of Language Line telephonic-based interpreter services as well as its annual survey of LEP clients.
RPD*	Children, teens, seniors, and adults.	Families, low-income families	RPD captures some information from individuals and families who sign up for its programs. All "Family Account" holders must indicate the ages of individuals in the family. Families that apply for scholarships must indicate income levels to receive reduced cost program fees.
SFO*	Of the 1400 customers surveyed only 13.1% were San Francisco residents.	N/A	Through the SFO Annual Customer Survey, SFO samples 1,400 customers for gender, city, state, country, Bay Area County of residence, zipcode for U.S. residents, Bay Area County of departure to the Airport, and mode of transportation.
SFPD	People of all demographic groups	N/A	By interpreted language of the person or persons served by SFPD.
SFPL*	Library card holders are 72% adult, 14% children; 7% teen; and 7% seniors.	N/A	Library patron records include patron age and zip code.
SHF	Adults	N/A	SHF tracks clients who require service spoken in another language other than English.

DEPT.	PRIMARY CLIENTS	SECONDARY CLIENTS	TRACKING METHOD
TTX*	Our primary clients are adults – business owners, property owners, and other adult users of City Services throughout San Francisco.	The administrative support staff of San Francisco businesses and property owners and industry-related professionals.	To date, TTX has not had a system in place to track information regarding demographic breakdown of clients. There are minor exceptions wherein certain demographic information is available (such as applicant age via the Passport Services database, and geographic data through property tax and business tax databases).
ZOO*	Adults, children, families, school age children and their instructors	N/A	ZOO is able to gather zip codes of visitors when they purchase items by credit card. It also tracks the number of “family” memberships and school group visits.

*New Tier 1 Department

#14: How much does the department allocate for language services?

Figure 14-1



* This does not include 311's budget for telephonic interpretation through Language Line. 311 is the highest user of Language Line citywide, spending approximately \$100,000 per fiscal year, however, it is not currently designated as a Tier 1 Department.

Figure 14-1 shows that Tier 1 departments reported a total proposed budget of nearly \$6 million for language services for the next fiscal year. Nearly one-half (42%) of the projected FY2011-12 Tier I department budgets for language services go to bilingual employee compensation while 36% is for on-site language interpretation through city vendors. Fifty-six percent of the citywide projected budget for language services is accounted for by DPH (\$3.4 million); 13% by HSA (\$765,000); 9% by Elections (\$525,000); and the remaining 22% by the other 23 Tier 1 departments (\$1.3 million).

Table 14-1 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.

Table 14-1 Budget Allocation and Strategy for Meeting the Needs of LEP Clients by Department (FY2010-2011)

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*	0.0%	77.1% ⁹	77.1% ⁹	0.0%	\$15,000	0.3%
BM*	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
DA	55.8%	4.8%	39.4%	0.0%	\$36,560	0.6%
DBI*	100.0%	0.0%	0.0%	0.0%	\$12,000	0.2%
DEM	100.0%	0.0%	0.0%	0.0%	\$34,452	0.6%
DPH	29.7%	8.1%	1.3%	60.8%	\$3,369,000	56.4%
DPW*	0.0%	0.0%	100.0%	0.0%	\$25,000	0.4%
ELEC	8.6%	0.0%	91.4%	0.0%	\$525,000	8.8%
ENV*	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
FIRE	96.8%	0.0%	0.0%	3.2%	\$20,275	0.3%
HSA	65.8%	6.5%	27.6% ⁹	27.6% ⁹	\$764,702	12.8%
JUV	84.5%	6.9%	8.6%	0.0%	\$33,080	0.6%
MTA	0.0%	7.7%	76.9%	15.4%	\$65,000	1.1%
OEWD*	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
PDR	27.7%	2.5%	6.3%	63.4%	\$78,840	1.3%
PLN*	18.6%	8.9%	0.0%	72.5%	\$11,200	0.2%
PUC*	30.4%	0.0%	69.6%	0.0%	\$28,740	0.5%
RNT	0.0%	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	4.3%
SFPD	85.7%	10.0%	4.3%	0.0%	\$350,000	5.9%
SFPL*	69.2%	0.0%	27.7%	3.1%	\$130,000	2.2%
SHF	100.0%	0.0%	0.0%	0.0%	\$128,960	2.2%
TTX*	66.7%	16.7%	13.3%	0.0%	\$15,000	0.3%
ZOO*	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
CITYWIDE TOTAL (%)	41.7%	6.6%	15.2%	35.6%	\$5,970,809	100.0%
CITYWIDE TOTAL	\$2,487,469	\$396,104	\$906,536	\$2,122,770	\$5,970,809	100.0%

*New Tier 1 Department

#15: Does the department serve LEP persons in crisis or emergency situations? If so, is there a protocol?

Table 15-1 shows which departments work with clients in crisis or emergency situations and which of these have a protocol for serving LEP persons in crisis or emergency situations. Under the amended Language Access Ordinance, departments are required to report if they generally work with clients during crisis or emergency situations and describe their protocols for assisting LEP persons during those situations.

Table 15-1. 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; staff handles emergencies that include summoning urgent medical care and calling police to assist on bookings.	APD peace officer staff is trained to respond to crisis situations and in basic First Aid procedures. In emergency situations, staff will assess the situation and contact 911 if the situation is beyond their abilities. A list of all bilingual staff is posted in case of emergency.	N
ASR*	No	No	NA
BM*	No	No	NA
DA	Yes; Victim Witness Advocates may work with a crime witness or victim who is in a crisis situation. DA also handles occasional crises through its front desk public contacts and on its help lines.	In general, DA Investigators and Victim Witness Advocates are trained to handle crisis situations. If assisting an LEP client, they would locate someone who could converse comfortably with the client or use a Language Line interpreter.	√
DBI*	Yes; DBI works with clients in construction-related emergencies, such as a landslide or fire.	Staff will contact a designated bilingual staff to assist in translation and/or contact 311 for assistance.	N
DEM	Yes; DEM manages the 911 call system for the City and County of San Francisco.	Bilingual staff are tasked to communicate directly with 911 callers when available. Otherwise, Language Line provides translation services.	N
DPH	Yes; DPH provides medical services to its clients.	No	N
DPW*	Yes; DPW works with clients during crisis situations such as flooding or an earthquake.	DPW receives direction from DEM and utilizes 311 as a resource call-in center in the event of a crisis or emergency situation.	√
ELEC	No	No	NA
ENV*	No	Most LEP calls are directed to 311 or the customer service line at Recology. Bilingual staff handles in-house calls and communication.	N
FIRE	Yes; FIRE works with clients in crisis and emergency situations every day.	This is included in FIRE's comprehensive protocols for communicating with LEP clients.	√
HSA	Yes; HSA provides services which are usually provided as safety net services; therefore, many clients come to the department in the state of crisis.	These protocols are the same as HSA's general written policy. HSA's normal protocols for working with individuals that are LEP are designed to address those in crisis as well.	√
JUV	Yes; JUV is prepared to respond to and address most emergency situations. It also provides crisis intervention to the families it serves.	JUV routinely utilizes bilingual staff and Language Line's services.	√

DEPT.	WORKS WITH CLIENTS IN CRISIS OR EMERGENCY SITUATIONS	CURRENT PROTOCOL FOR SERVING LEP PERSONS IN CRISIS OR EMERGENCY SITUATIONS	WRITTEN PROTOCOL
MTA	No; MTA does not handle crisis or emergency situations on a regular basis. However, an emergency or crisis situation could occur in the event of a natural catastrophe, national emergency, etc.	If there is a significant disruption in service, MTA staff is mobilized to provide in-person information. Multilingual station announcements will be made and every effort will be made to translate informational documents related to the disruption into Spanish and Chinese.	√
OEWD*	No	No	NA
PDR	No	No	NA
PLN*	No	No	NA
PUC*	Yes; PUC oversees water quality and water and sewer service.	PUC developed a Water Quality Communications Plan which includes templates requiring minimal customization. When water quality changes such that the public should be notified, templates only require the insertion of the list of areas affected.	√
RNT	No	No	NA
RPD*	Yes; recreation facilities are sometimes used as shelters in emergency situations.	This protocol is in development.	NA
SFO*	Yes; if emergency situations arise, employees are trained to call 911 and the Communications Center will dispatch fire, paramedics or police if needed.	Language identification cards are provided at information desks and by the Communications Center. The Communications Center will dispatch fire or police as appropriate. Once the language is identified, translation is provided by Language Line, bilingual volunteers or employees.	√
SFPD	Yes; SFPD is tasked with addressing and mitigating all emergency situations ranging from domestic violence incidents to natural disasters.	During exigent circumstances, SFPD members can deviate from its preferred communication protocol outlined in its General Order by employing reasonable and available means to communicate with LEP persons to ensure it is compliant with its first stated value: that the protection of human life is its highest priority.	√
SFPL*	No; however, SFPL often deals with crisis situations, including altercations between patrons. Staff also occasionally deals with serious or sudden patron illness and children left unattended.	SFPL employs a full time DPH Social Worker at the Main Library to assist with serious issues related to homelessness, mental illness, and drug dependency, but otherwise does not have a separate protocol for serving LES patrons in emergency situations.	N
SHF	Yes; SHF works with clients who are in its custody during the eviction process pursuant to Court Orders, and while providing security at designated city and county buildings.	SHF continues to provide on-premises translation services when available, and utilizes Language Line when an interpreter is not available on the premises.	N
TTX*	No	No	NA
ZOO*	Yes; ZOO works with clients during a natural disaster, a dangerous animal escape and human disasters.	Protocol included in Emergency Procedures – Quick Reference Guide	√

*New Tier 1 Department

VII. RECOMMENDATIONS

The following actions should be considered to strengthen the efficacy of the LAO and improve compliance:

- ✓ Language access should continue be a priority for the city and especially departments that directly serve the public. This should be reflected in all aspects of normal operations and planning, including building signs and public notices.
- ✓ Consequences for non-compliance with the LAO must be clearly defined. Administrative guidelines for implementation and ongoing compliance should be developed.
- ✓ The importance of complying with language access laws needs to be regularly stated by the top levels of city leadership, from the Mayor to the Board of Supervisors, elected officials and department heads.
- ✓ The Immigrant Rights Commission recommends 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.
- ✓ Department Heads, senior staffs, and designated LAO liaisons should review LAO requirements annually with their staffs and incorporate LAO compliance elements in future plans and budgets.
- ✓ 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. This team can also be available to assist departments with translating website information, public documents and other essential information for LEP residents.
- ✓ Increase quality assurance and develop standardized language fluency testing that goes beyond the minimal testing level for bilingual pay differential administered by DHR. These tests should be developed with language experts, academic institutions, and community-based organizations with a focus on the accuracy and appropriateness of translations and interpretation services provided by bilingual public contact employees, especially in crisis, emergency and public safety situations.

- ✓ Departments should stop relying on on-line translation tools for website and technical translations since these are highly unreliable for providing high quality and accurate translations. It is critical to provide accurate translations when disseminating crisis, emergency or public safety information. Online translation tools do not accurately translate complicated vocabulary, grammar, context and language nuances.
- ✓ Citywide cultural and linguistic competency standards should be developed, incorporating best practices and based on National Standards on Culturally and Linguistically Appropriate Services (CLAS). Although these 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.
- ✓ Improve tracking, evaluation and data collection mechanisms and tools. Create metrics and a “report-card” or dashboard tool to better assess progress.
- ✓ Bilingual ability should be an additional factor in recruiting qualified candidates for future job openings.
- ✓ Collaborate with community-based organizations and academic experts to conduct a citywide language access needs assessment. A 2008 survey on language access needs conducted by CAA found that 93% of the 301 survey respondents indicated they wanted interpretation services and translated documents in their primary language when seeking public services; 77% indicated they needed services in their primary language to conduct a job search; 71% for job training, 74% in order to communicate with their children’s public school officials; and 74% to communicate with the SFPD.²⁶
- ✓ The partnership with community-based organizations and advocates should continue and 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.
- ✓ The Immigrant Rights Commission and the Office of Civic Engagement & Immigrant Affairs (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, outreach and education, and training.

²⁶ Chinese for Affirmative Action. (2009). *Access Deferred: Progress, Challenges and Opportunities: A Report on Language Access and the San Francisco Unified School District, Police Department and One-Stop/Career Link Centers*. San Francisco, California. Retrieved from: http://www.caasf.org/wp-content/uploads/PDFs/CAA_Access_Deferred_July_2009.pdf.

VIII. CONCLUSION

To continue thriving as a nation, the United States must be intentional about weaving newcomers into the fabric of society. How well we integrate immigrants and provide opportunities for all members has far-reaching implications for—and is inextricable from—our current and future vitality.

—Grantmakers Concerned with Immigrants and Refugees

In its 2006 Toolkit for Funders, Grantmakers Concerned with Immigrants and Refugees (GCIR) outlined strategies for immigrant integration and defined this as “a dynamic, two-way process in which newcomers and the receiving society work together to build secure, vibrant, and cohesive communities.” GCIR noted that eliminating language barriers, promoting English proficiency, and providing education opportunities are key to successful integration.²⁷

It is critical that the public sector provide equal access to services in the languages that residents understand and speak. Residents who speak a language other than English or who lack access to the internet are further disadvantaged when the same information that is provided to other residents is not readily available to them in a timely manner. The benefits from the city’s investment in ensuring that all residents understand their respective roles, can communicate effectively with government without fear, and are able to participate meaningfully in a civil society, far exceed the expense of lawsuits and other costs to the greater community.

Language access should be a normal part of doing business every day. Year after year, some departments report that they have adequately met the requirements of San Francisco’s language access laws and have no plans to improve. City agencies often cite a lack of resources as the main barrier to fully complying with the full extent of LAO requirements or making additional efforts. However, this is a barrier that can be overcome if city departments and officials continue to take the law seriously, redistribute resources, and see the value of language diversity as a competitive advantage.

The LAO is about more than compliance or just doing enough. Because in this global economy, doing enough is not good enough. A city that can innovate and creatively solve problems by leveraging its community assets—a population with cultural and language diversity, a wide array of skills and talents, and the ability to engage and contribute to overall success— is a world class city.

²⁷Grantmakers Concerned with Immigrants and Refugees, (2006). *Investing in Our Communities: Strategies for Immigrant Integration*. Sebastopol, CA. Retrieved from: <http://www.gcir.org/publications/toolkit>.

IX. APPENDICES

- A. Glossary of Terms
- B. Standardized LAO Reporting Form
- C. San Francisco Language Access Ordinance

A. 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	A project of the Office of Civic Engagement and Immigrant Affairs designed to ensure that limited English proficient individuals have access to City services and information in their preferred languages.
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.

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

NUMBER OF LEP CLIENTS BY CORE LANGUAGE					
CAN	MDRDN	RUS	SPN	TAG	VIET

Key: CAN = Cantonese
SPN = Spanish

MDRDN = Mandarin
TAG = Tagalog

RUS = Russian
VIET = Vietnamese

Please indicate the number of clients served in other languages:

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

3. What are the number and percentage of limited English proficient (LEP) persons served in each supervisorial district in which department offices are located?

LEP CLIENTS BY SUPERVISORIAL DISTRICT										
District	Total Number of Clients in District	Number of LEP Clients in District	% of total clients in District that are LEP	Indicate Number of LEP Clients by core languages spoken in the District						
				CAN	MDRDN	RUS	SPN	TAG	VIET	Other
#1										
#2										
#3										
#4										
#5										
#6										
#7										
#8										
#9										
#10										
#11										

Key CAN = Cantonese
SPN = Spanish

MDRDN = Mandarin
TAG = Tagalog

RUS = Russian
VIET = Vietnamese

4. What is the total number of public contact positions in the department? List the number of bilingual staff in public contact positions and identify each by language(s) spoken.

Note: Include the department's public contact position staffs that are identified as bilingual. 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." The breakdown of languages spoken may exceed the number of bilingual staff reported because some staff may speak more than one foreign language.

Total Staff (Public Contact)	Total Bilingual Staff (Public Contact)	Number of bilingual staff by core languages					
		CAN	MDRDN	RUS	SPN	TAG	VIET

Key CAN = Cantonese
SPN = Spanish

MDRDN = Mandarin
TAG = Tagalog

RUS = Russian
VIET = Vietnamese

8. Employee Development & Training

EMPLOYEE DEVELOPMENT & TRAINING		Yes	No
Does the department offer training for bilingual staff?			
If yes, list types of training:			
If no, please explain:			
Does the department have quality controls for bilingual employees?			
If yes, explain the type of quality controls:			
If no, please explain:			
Does the department work with clients in crisis or emergency situations?			
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:			
Are the above protocols written? If yes, please attach a copy to this plan.			
		Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>

9. What is the department's assessment of additional bilingual employees needed in FY 2011-12 and beyond to meet the requirements of the Language Access Ordinance?

Total number of bilingual staff (public contact)	Number of LEP clients	Is the number of bilingual staff adequate to meet LAO requirements?		Number of vacant public contact positions?*	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 2011-12 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?

10. 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"/>

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

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	Other Languages	Total number of translated materials
Arabic		German		Korean	
Amharic		Hakka		Lao	
Armenian		Haitian Creole		Locano	
Bengali		Hausa		Mien	
Burmese		Hebrew		Maltese	
Bosnian		Hmong		Nepalese	
Cambodian		Hungarian		Oromo	
Croatian		Indonesian		Punjabi	
Farsi		Italian		Polish	
French		Japanese			

11. 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

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

COMPLAINT PROCEDURES			
Are the department's LAO complaint procedures written and publically posted?		Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
Total number of complaints received (all types)	Total number of resolved complaints (all types)	Total number of LAO complaints	Total number of resolved LAO complaints

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"/>	Via email	<input type="checkbox"/>		<input type="checkbox"/>
Website electronic submissions	<input type="checkbox"/>	Other (please explain):			<input type="checkbox"/>
Other (please explain):					

**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 2011-2012 (July 1, 2011 through June 30, 2012).

1. What is the department's FY2011-12 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?

<ol style="list-style-type: none"> A. List overall changes: 	
<ol style="list-style-type: none"> 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. 	
<ol style="list-style-type: none"> C. Indicate the key barriers that have prevented the department from achieving LAO goals and proposed solutions. 	
<ol style="list-style-type: none"> D. Indicate how the department can redistribute resources to meet any language service gaps. 	

Summarize changes made from previous Annual Compliance Plan:

**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 FY2011-2012.
- C. An assessment of how the department is meeting FY2010-11 goals.
- D. Written protocols for serving LEP persons in crisis or emergency situations.

C. 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 and 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)



**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:

Language Access & Services | Immigrant Rights & Integration | Community Ambassadors Safety Program |
Census Analysis & Education | Community outreach & education | Day Laborers Program

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*This report is dedicated to Eric Quezada and Lorena Melgarejo for their tireless efforts on behalf of underserved and vulnerable communities.
¡Su valor nos inspira para seguir en la lucha!*

An electronic version of this report will be available after August 15, 2011 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
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