Language Access in Schools:
Requirements and Resources for School Leaders

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Office of Human Rights – Language Access Program
Objectives

• Be familiar with the District’s foreign-born and LEP/NEP community demographics
• Be familiar with laws and regulations governing language access compliance
• Understand implementation requirements for agencies and contractors/grantees
• Know how to find and use language access resources and tools
Introductions

Please briefly share with a partner:
• Your name
• Your role as it applies to language access
• Your level of familiarity with language access

Discuss
• What types of encounters do teachers and school leaders have with non-English speakers (children, families)?
Huh?

A prepubescent male situated himself near the intersection of two supporting structural planes at right angles to each other. The aforementioned subject was involved in the ingestion of a saccharine composition prepared in conjunction with the ritual observance of an annual fixed-day religious festival. Insertion into the syrupy constituent of the opposable digit of the forelimb was followed by removal of a drupe of genus prune. Subsequently, the subject made a declarative statement regarding the high quality of his character as a masculine human.
Does this help?
Levels of proficiency

A prepubescent male situated himself near the intersection of two supporting structural planes at right angles to each other. The aforementioned subject was involved in the ingestion of a saccharine composition prepared in conjunction with the ritual observance of an annual fixed-day religious festival. Insertion into the syrupy constituent of the opposable digit of the forelimb was followed by removal of a drupe of genus prune. Subsequently, the subject made a declarative statement regarding the high quality of his character as a masculine human.

Little Jack Horner
Sat in the corner,
Eating his Christmas pie.
He put in his thumb
And pulled out a plum,
And said
"What a good boy am I!"
1. Demographics
The foreign-born population in the district has more than doubled since 1970.
District of Colombia Population by Region of Birth

Native: 542,000 (85.7%)
Foreign-Born: 90,323 (14.3%)

Latin America: 40,339 (6.4%)
Asia: 18,110 (2.9%)
Africa: 15,555 (2.5%)
Europe: 13,339 (2.1%)
Northern America: 1,851 (0.3%)
Oceania: 1,129 (0.2%)
The District’s Foreign-Born Population

- District 1: 16,084
- District 2: 14,933
- District 3: 18,304
- District 4: 17,924
- District 5: 9,038
- District 6: 2,528
- District 7: 7,735
- District 8: 2,080
Foreign-Born Population: Africa
African Countries Represented in the District

- Ethiopia: 4,364, (35.6%)
- Nigeria: 1,759 (14.3%)
- Cameroon: 1,077 (8.8%)
- Sierra Leone: 666 (5.4%)
- Ghana: 506 (4.1%)
- Morocco: 240 (2.0%)
- Egypt: 339 (2.8%)
- Eritrea: 451 (3.7%)
- South Africa: 258 (2.1%)
- Liberia: 231 (1.9%)

Other countries: 2,380 (19.4%)
Foreign-Born Population: Asia

DISTRICT OF COLUMBIA
Foreign-Born Population from Asia
Distribution by Ward
2010-2014 ACS (5-Year Estimates)

Legend
- 2012 Wards
- Water
- Parks


<table>
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<tr>
<th>Country of origin</th>
<th>Total</th>
<th>Chinese</th>
<th>Percent</th>
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<td>China</td>
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<td>Taiwan</td>
<td>551</td>
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<tr>
<td>Thailand</td>
<td>501</td>
<td>3.2</td>
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<td>Iran</td>
<td>428</td>
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<tr>
<td>Nepal</td>
<td>413</td>
<td>2.6</td>
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<tr>
<td>Other countries</td>
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<tr>
<td>Total</td>
<td>16,082</td>
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Office of Planning - January 5, 2013
Government of the District of Columbia
This map was created using a service from Esri, a company engaged in the creation and distribution of geographic information. The data used were from various sources, including the United States Census Bureau and the United States Bureau of the Census.
Asian Countries Represented in the District

- India: 2,438 (15.5%)
- China: 2,372 (15.1%)
- Philippines: 1,933 (12.3%)
- Korea: 1,382 (8.8%)
- Vietnam: 1,199 (7.6%)
- Iran: 614 (3.9%)
- Japan: 587 (3.7%)
- Thailand: 541 (3.4%)
- Indonesia: 380 (2.4%)
- Lebanon: 410 (2.6%)
- Other countries: 3,843 (24.5%)
Foreign-Born Population: Latin America/Caribbean
Latin American/Caribbean Countries Represented in the District

- El Salvador: 13,863 (37.2%)
- Mexico: 3,187 (8.5%)
- Jamaica: 2,172 (5.8%)
- Guatemala: 2,165 (5.8%)
- Honduras: 1,837 (4.9%)
- Trinidad and Tobago: 1,809 (4.8%)
- Dominican Republic: 1,516 (4.1%)
- Colombia: 1,397 (3.7%)
- Brazil: 888 (2.4%)
- Peru: 1,009 (2.7%)
- Other countries: 7,461 (20%)
The District’s LEP/NEP Population (2012)

- Total number of DC residents: 632,323
- Foreign-born population in DC: 90,323 (14%)
- 15.6% or 98,434 DC residents speak a language other than English at home
- 5.4% DC residents speak English “less than very well”

Key statistic for educators:
- 2/3 of LEP/NEP households in DC are linguistically isolated, meaning no one above the age of 14 years speaks English.
Name at least 5 major languages spoken in the district (other than English)
The District is one of the most linguistically diverse cities in the nation.
2. Laws & Regulations

DC LANGUAGE ACCESS ACT 2004
DC Language Access Act of 2004

Enacted on April 21, 2004, the purpose of the Act is to provide greater access and participation in public services, programs, and activities for the District’s LEP/NEP constituents at a level equal to that of English proficient individuals.

What is “Language Access”?  

Language Access is a system for enabling communication between the government and LEP/NEP constituents.

**LEP**: Limited English Proficient  
**NEP**: Non-English Proficient

This system includes:
1. Translation  
2. Interpretation  
3. Signage
DC Language Access Program

- Established by law in April 2004
- Staffed by a Director and Program Analyst
- Charged with coordination and oversight of district-wide implementation of the Language Access Act
- Consults with the Mayor’s Ethnic Constituency Offices and the Language Access Coalition
- The office has **4 major responsibilities**:
  1. Technical Assistance
  2. Compliance Monitoring
  3. Enforcement
  4. Outreach and Education
3. Compliance Requirements
DC Language Access Act Requirements

All Covered Entities (including Funded Entities):
- Collect data on primary languages spoken
- Provide interpretation service
- Translate vital documents
- Train public contact staff

Major Public Contact Agencies:
*All of the above, plus…*
- Complete an individualized biannual plan
- Report quarterly on progress made on the plan
- Designate a Language Access Coordinator
- Hold public meetings and conduct outreach
What does this mean for you?

Collect data
● Ask your supervisor if you’re not sure how to report primary language data

Provide interpretation service
● Have resources available for parent-teacher conferences, at school events, and at the office

Translate vital documents
● Ask for resources when you know you need to send a letter home or make an email communication that may not be understood

Train public contact staff
● Create a culture of compliance at your school for ALL employees
Covered entities shall ensure that their contractors and grantees:

**Collect data** regarding contact with LEP/NEP customers and report this data to the covered entity on a quarterly basis

**Provide interpretation** services and **translate vital documents** per the same standards required of the covered entity

**Certify in writing** that the compliance requirements will be satisfied by any sub-contractors and sub-grantees

**Train personnel** on all compliance requirements

Receive language access compliance training or guidance *(provided by OHR, unless the agency agrees to provide the training and OHR approves the training be given by the agency)*
Public Meetings & Outreach

- A covered entity must conduct **periodic public meetings** with appropriate advance notice to the public*.

- A covered entity with major public contact is required to **conduct outreach to LEP/NEP populations** about their rights and services.
  - Bilingual outreach materials
  - Foreign-language awareness campaigns
  - Advertising services and events through ethnic media and community-based partners

*Interpretation must be provided if the request is made at least five (5) business days in advance of the public meeting.
The Language Access Act provides for the filing of **Formal** and **Informal Complaints** by customers who are LEP/NEP.

- LA complaints can be filed over the phone, via email, or online using a multilingual form.
- Advocates can file third party complaints on behalf of an LEP/NEP individual.
- OHR conducts a pre-investigation resolution process before assigning LA complaints for full investigation.

Complaint forms are available on OHR’s website in six (6) languages: http://ohr.dc.gov/webform/language-access-public-complaint-form
Language Access Testing

Each year, testing is done – face-to-face and by phone – to assess the effectiveness of agency language access services. Results are included in the annual compliance report issued by OHR.

Findings from FY15 Language Access Testing include (across agencies):

- Turning away testers with no assistance provided
- Speaking English after tester disclosed they don’t speak English
- Providing English only forms to customers
- Hanging up on calls or forwarding calls to English-only employees and voicemail inboxes

Discuss with a partner: How prepared do you feel to “pass the test”? 
4. Language Access Resources
Language Access Resources

- Language Access Coordinators
- Telephonic interpretation services
- Language Line signage and brochures
- “I Speak…” cards
- Interpretation waiver forms
- Translated taglines
- Citywide contract for document translation and in-person interpretation
- Language Access Portal: Quick Reference Guides
- Office of Human Rights and Mayor’s Constituency Affairs Offices
Language Access Support Staff

Your primary resource for Language Access issues is your Language Access Coordinator, Point of Contact and/or Team:

- **Elsa Teklehymanot** – Language Access Coordinator (LAC) for OSSE
- DCPS also has a Language Access Coordinator and support team (Ivy Chaine)

*Raise your hand if you’ve ever...*

...contacted your Language Access Coordinator
...used telephonic interpretation (Language Line)
...used a translated document
How to use Language Line

1. Identify the customer’s language if possible.
2. Dial Language Line Services.
4. Have ID and access code available.
5. When connected to interpreter, write down the agent ID#.
6. Brief the interpreter on the nature of the call.
7. Add customer to the call or conversation.
8. Speak directly to the customer, with pauses for interpretation.
9. Close the call when done.
Language Identification Poster

- Tailored for DC’s most common languages, it is available on the OHR website for easy download.

- Should be present at all public facing locations.

- Language Line also provides a similar poster.

- Excellent tool to identify a speaker's language. Language Line can also assist if you are unsure.
“I Speak” Cards

Available in 10 languages:
Amharic, Chinese, French, Korean, Spanish, Vietnamese, Arabic, Portuguese, Tagalog, Russian
If a LEP/NEP customer refuses the interpretation or translation services you offer, the customer must sign this form in order to waive his/her rights to language assistance.

The form should be made available in the language of the customer and confirm that the LEP/NEP customer is voluntarily waiving his or her right to free interpretation and/or translation services.

You can read the form over Language Line if the language you need is not available.
Taglines (in 6 languages)

Version 1:
“If you need help in your language, please call __________ for free interpreter assistance.”

Version 2:
“This document contains important information. If you need help or have any questions about this notice, please call ______________. Tell the customer service representative the language you speak so you can be provided with an interpreter at no cost to you. Thank you.”
Citywide Contract

The government of D.C. has identified, vetted, and engaged approved vendors in a citywide contract to provide document translation and in-person interpretation services for D.C. agencies:

• Comprehensive Language Center, Inc (CLCI)
• Dupont Computers, Inc (DCI),
• Multicultural Community Service (MCS)

Best practice involves internal quality control and negative feedback mechanisms.

Contact your agency or school administration to find out the approved mechanism for engaging one of these vendors (i.e. in-person interpretation for a known large-scale event)
Language Access Portal

OHR has produced a series of tools at http://ohr.dc.gov.

Resources include:
- Vendor details & contact info
- Downloadable signage & forms
- Helpful guides for Language Line
- Best-practice references for data collection and reporting
- Policy templates
- Regulation text

You can likely get these from your school as well!
Reminders

- If a customer requests language assistance, provide it—by phone or through a qualified interpreter—regardless of your perceived level of the customer’s English proficiency.

- If a customer refuses your offer to provide an interpreter and wants to use their own interpreter, have the customer sign a waiver form. Note: do not allow a minor to serve as an interpreter.

- If a requested vital document is not available, consider using an interpreter to read the document to the customer.
• **Do not** indicate, verbally or in writing, that a customer must speak English to receive services.

• **Do not** require a customer who is LEP/NEP to come back another day when a bilingual employee is available.

• **Do not** send/give English versions of written documents to customers that are LEP/NEP.

• **Do not** rely on a customer’s friend, family member or other informal interpreter to provide meaningful access. Customers who are LEP/NEP are to be provided with professionally trained and certified interpretation services.

• **Do not** request information about the legal status of a customer (unless eligibility requires it).
Language Access Program Partners

- **Mayor’s Office on Latino Affairs**
  - (202) 671-2825 | ola.dc.gov

- **Mayor’s Office on Asian and Pacific Islander Affairs**
  - (202) 727-3120 | apia.dc.gov

- **Mayor’s Office on African Affairs**
  - (202) 727-5634 | oaa.dc.gov

- **DC Language Access Coalition**
  - (202) 470-6835 | dclaccoordinator@gmail.com
Language Access Program Partners

The DC Office of Human Rights (OHR) provides oversight, central coordination, and technical assistance to agencies in their implementation of the Act’s provisions.

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Questions?