



District of Columbia Department of Human Services			
Subject:	Language Access Policy	Number:	001
Approval Date:	JAN 15 2014	Pages:	1 of 5
Approved by:	David A. Berns, Director	Revision	

**I. PURPOSE:**

The purpose of this policy is to identify the Department of Human Services (hereinafter "DHS" or "the Agency") interest in providing greater access and participation in services, programs, and activities for DHS customers with limited or non-English proficiency; to identify the roles and responsibilities of the Agency, managers and supervisors, employees, and the Language Access Program Coordinator.

**II. APPLICABILITY:**

This policy shall apply agency-wide to all DHS employees.

**III. INQUIRIES:**

Inquiries regarding this policy may be made to the DHS Language Access Coordinator at (202) 671-4200.

**IV. AUTHORITY:**

- A. Mayor's Reorganization Plan No. 3 of 1986 (Section III of Reorganization Plan No. 3 of 1986, effective January 3, 1987).
- B. Language Access Act of 2004 (D.C. Law 15-167), as amended.
- C. Title II U.S. Civil Rights Act of 1964, as amended.
- D. Title VII U.S. Civil Rights Act of 1964, as amended.
- E. D.C. Human Rights Act of 1977 (D.C. Law 2-38), as amended.

**V. DEFINITIONS:**

- A. "**Customer**" means a person who applies for or receives services offered by or facilitated through the Department of Human Services.
- B. "**Access**" or "**participate**" means to be informed of, participate in, and benefit from public services, programs, and activities offered by DHS at a level equal to English proficient individuals.

- C. **“Language Access Coordinator (LAC)”** means the official within DHS who manages, coordinates and supervises the activities of the Agency’s departments and programs undertaken to comply with the provisions of this policy.
- D. **“Limited English Proficient (LEP)”** means individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.
- E. **“Non-English Proficient (NEP)”** refers to an individual who cannot speak or understand the English language at any level.
- F. **“Oral language services”** means the provision of oral information necessary to enable limited or non-English proficiency customers to access or participate in programs or services offered by DHS. The term “oral language services” shall include placement of bilingual staff in public contact positions; the provision of experienced and trained interpreters; contracting with telephone interpreter programs; contracting with private interpreter services; and using interpreters made available through community service organizations that are publicly funded for that purpose.
- G. **“Translation”** means the written conversion of text in a source language into text written into a target language that retains the meaning and intent of the source text and produces a culturally competent product.
- H. **“Interpretation”** means oral or verbal conversion of the meaning of a dialogue from one language to another. There are three (3) types of interpretation:
1. Sight interpretation – an interpreter reads a document written in one language and translates it orally into another language.
  2. Consecutive interpretation – an interpreter translates a speaker’s words orally after the foreign language speaker has stopped speaking.
  3. Simultaneous interpretation – an interpreter speaks simultaneously with the source language speaker.
- I. **“Vital documents”** means applications, notices, forms, agreements, and outreach materials published or distributed by DHS that inform customers about their rights or eligibility requirements for participation in a DHS program.
- J. **“Language Access Program services”** include, but are not limited to: translations of vital documents; in-person oral interpretation/translation; commercial interpretation/translations (Language Line); and outreach activities.
- K. **“Biennial Language Access Plan (BLAP)”** means a two-year mandatory compliance plan for DHS that is to be revised and published in the D.C. Register biennially.

## **VI. RESPONSIBILITIES:**

### **A. Agency Responsibilities**

1. Provide oral language services to customers with Limited or Non-English Proficiency who seek to access or participate in the services, programs, or activities offered by the Agency.
2. Provide and display information, such as posters, handouts, etc., to inform Limited or Non-English Proficient customers about translation and interpretation services through the Language Line.
3. Collect data about the languages spoken and the number or proportion of Limited or Non-English Proficient persons speaking a given language in the population that is served or encountered, or likely to be served or encountered, by the Agency.
4. Coordinate and facilitate the translation of vital documents in any Non-English language spoken by a Limited or Non-English Proficient population that constitutes 3% or 500 individuals, whichever is less, of the customers served or encountered, or likely to be served or encountered by the Agency.
5. Conduct outreach to LEP/NEP communities.
6. Develop and maintain a two-year language access plan pursuant to regulation and in accordance with the following guidelines:
  - a. Established in consultation with the DC Office of Human Rights (OHR)
  - b. Reviewed and updated biannually.
  - c. Sets forth the type of oral language services that the Agency will provide.
  - d. Sets forth the titles of translated documents that the Agency will provide.
  - e. Sets forth the rationale and data for translating any documents.
  - f. Sets forth the number of public contact positions within the Agency.
  - g. Sets forth the number of bilingual employees in public contact positions and/or within the Agency.
  - h. Evaluation and assessment of the adequacy of language access services the Agency provides.
7. Appoint a Language Access Program Coordinator or Coordinators responsible for oversight of the Agency's language access plan.

### **B. Division/Department Manager/Supervisor Responsibilities**

1. Provide support and assistance in carrying out the provisions of DHS Language Access Program policy as necessary.
2. Report public complaints regarding language access violations to DHS Language Access Program Coordinator.
3. Implement Language Access Program standard operating procedures within their assigned DHS division or program area.

**C. Language Access Program Liaisons (Primary and Secondary)**

1. Communicate as necessary with the Agency Language Access Coordinator regarding implementation of the Agency Language Access Plan.
2. Identify and maintain a record of the vital documents utilized by the assigned DHS division or program area.
3. Identify and report all agency events/functions which utilize interpretation services to the Language Access Program Coordinator within the Language Access Program Liaisons program area/division.
4. Ensure that LEP/NEP customers are identified in the Customer Management database and that language preference is noted.
5. Maintain a record of Language Access Program resources and services utilized by customers of the assigned DHS division or program area.

**D. Language Access Program Coordinator**

1. Provide oversight of the Agency's Language Access Program.
2. Provide guidance, training, and advice to DHS staff and management regarding the usage of Language Access Program services.
3. Ensure the Agency's compliance with the District's Language Access Act of 2004 and all corresponding guidelines and regulations.
4. Track, monitor, and investigate formal or informal public complaints regarding alleged language access violations at the Agency.
5. Communicate with Language Access Program Liaisons (Primary and Secondary) as necessary to carry out the mission of this policy.
6. Recommend corrective or adverse action for conduct contrary to this policy.
7. Establish and implement the Agency's BLAP.

**VII. POLICY AND PROCEDURE:**

**A. Interaction with customers who have Limited or Non-English Proficiency.**

1. DHS Employees must ensure that Limited English Proficient or Non-English Proficient customers have equal access to DHS information and services. This means that LEP/NEP customers must be offered the use of an interpreter and receive service in the order of their arrival at the Agency's facilities.
2. DHS Employees must not discourage or refuse DHS services to customers who are Limited English Proficient or Non-English Proficient.
3. DHS Employees must document their interaction with customers who are Limited English Proficient or Non-English Proficient in accordance with the Agency division/program area's Language Access Program standard operating procedures.
4. DHS Employees must identify LEP/NEP customer information to ensure that all future interactions with the customer include the provision of interpretation

services and translation of vital documents in accordance with the provisions in this policy.

**B. Public complaints regarding language access violations**

1. DHS Employees must report any public complaints regarding language access violations to their manager/supervisor or to the agency Language Access Program Coordinator in a timely manner (within five (5) business days of the incident).
2. DHS Employees must not discourage or refuse agency services to customers who have registered a complaint regarding language access violations.

**C. External resources**

1. DHS Employees shall be made aware of the Language Access Program resources provided by the Agency and the DC Office of Human Rights. Language Access Program resources include: translation of vital documents; interpretation; translations; telephonic oral interpretation (Language Line).
2. DHS Employees in a public contact position as well as all managers/supervisors and/or Language Access Program Liaisons as set forth above will attend training as outlined in the Agency's biennial Language Access Program plan.

**VIII. EFFECTIVE DATE AND IMPLEMENTATION:**

**This policy is effective immediately upon signature.**

**APPROVAL**

  
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David A. Berns  
Director

1/15/2014  
Date