



**LANGUAGE ACCESS PROGRAM**

DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS

# **Language access Training**

## **Grantee and contractor compliance requirements**



# The DC Office of Human Rights

The DC Office of Human Rights enforces the DC Human Rights Act, which makes discrimination illegal based on **21 protected traits** for people that live, visit or work in the District of Columbia. The DC Human Rights Act prohibits discrimination in *housing, employment, public accommodations and educational institutions*.



# Objectives

Be familiar with:

- 1. Demographics** – The District’s Limited English Proficient and Non-English Proficient (LEP/NEP) community demographics (including U.S. born and foreign born)
- 2. Laws & Requirements** – Laws governing language access & the OHR LA Program (compliance/enforcement)
- 3. Resources & Tools** – How to find and use Language Access resources and tools

# Stereotypes

**Stereotype:** a rigid, oversimplified, often exaggerated belief that is applied both to an entire category of people and to each individual in it.

In community engagement, assumptions about a group can prove inaccurate or damaging. Remember to approach each interaction with **fresh eyes**.

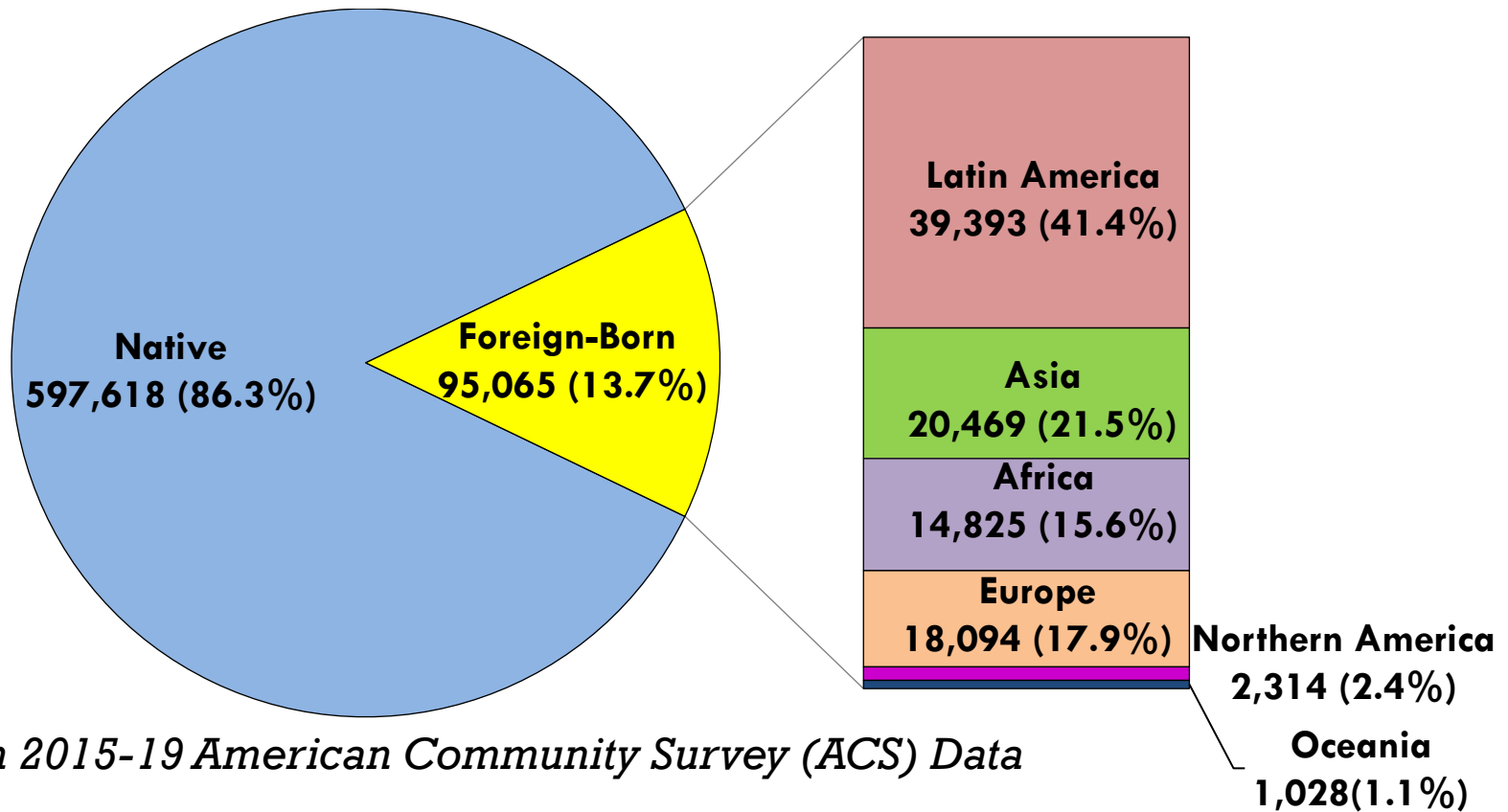


# Are you culturally sensitive?



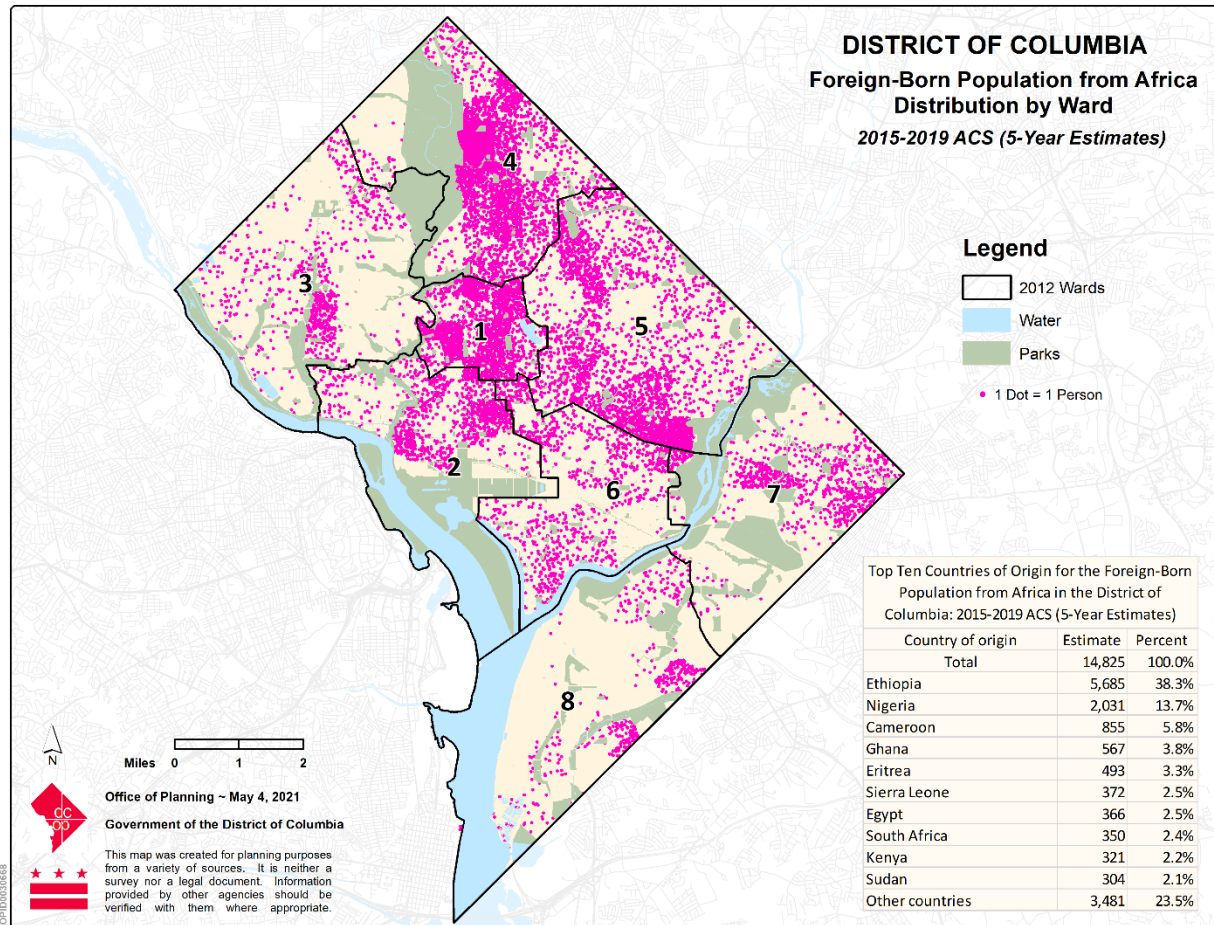
# Context: District of Columbia Population by Region of Birth

Note: Being foreign-born does not necessarily indicate LEP/NEP. Many foreign-born residents are highly proficient in English. Context does help illustrate DC's diversity.



Based on 2015-19 American Community Survey (ACS) Data

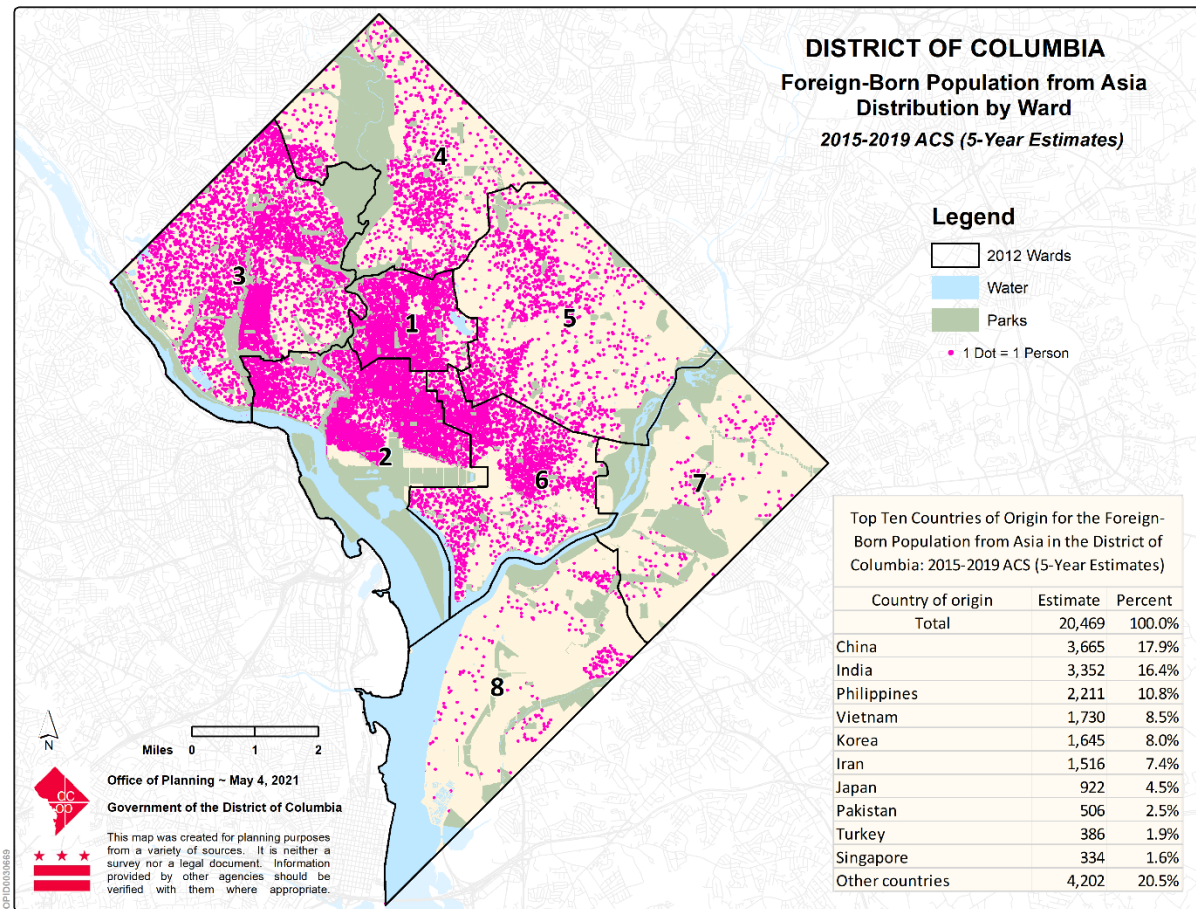
# District's Foreign-Born Population - Africa



Source: American Community Survey (ACS) Data 2015-2019 ACS (5-Year Estimates)



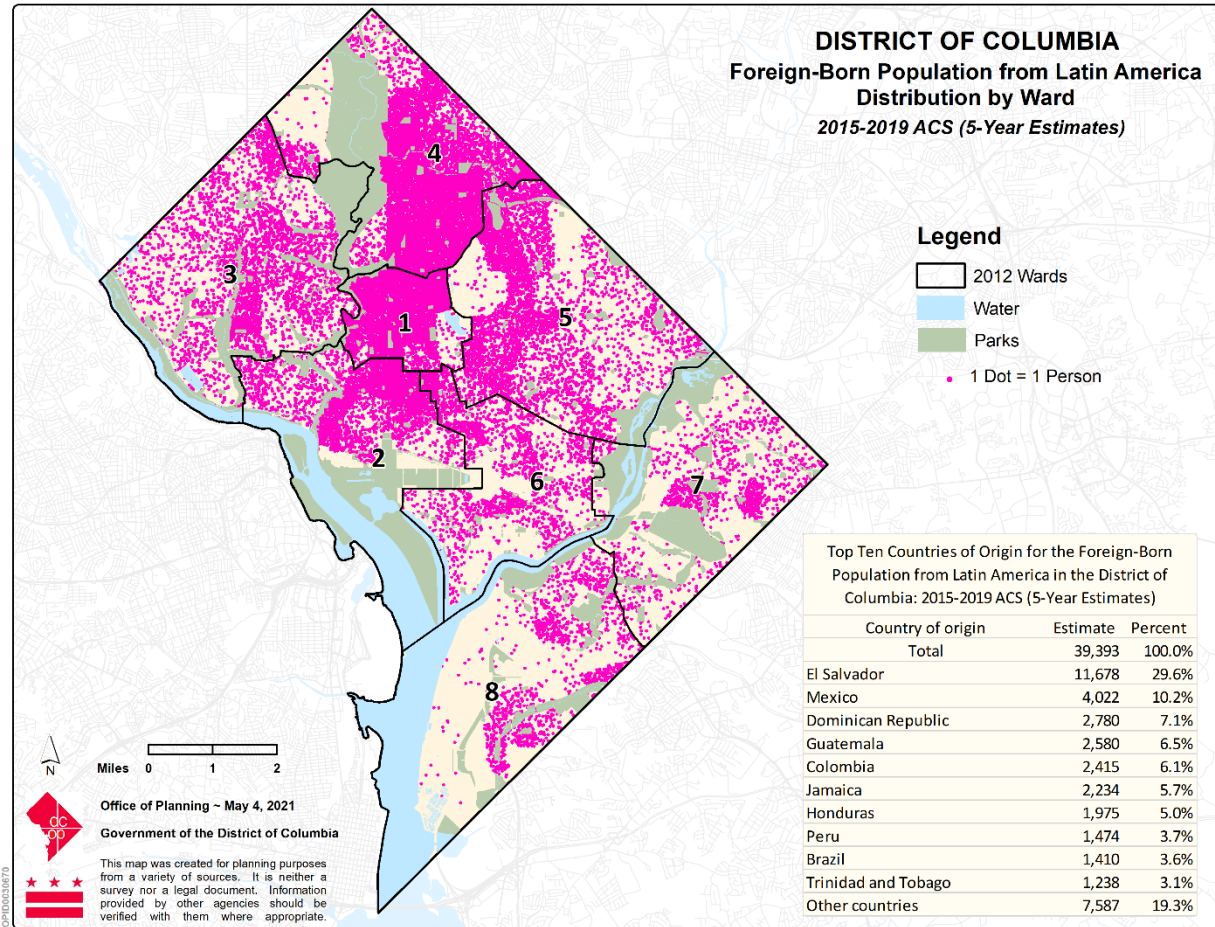
# District's Foreign-Born Population - Asia



Source: American Community Survey (ACS) Data 2015-2019 ACS (5-Year Estimates)

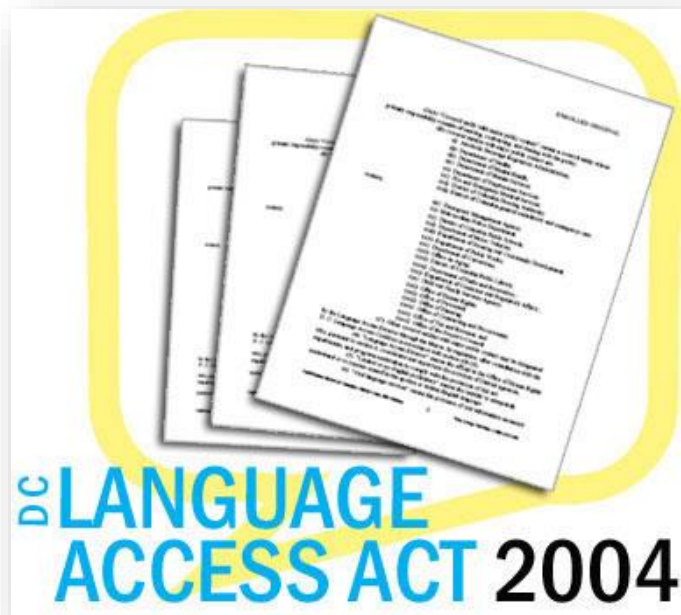


# District's Foreign-Born Population – Latin America/Caribbean



Source: American Community Survey (ACS) Data 2015-2019 ACS (5-Year Estimates)

# 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.

<http://ohr.dc.gov/publication/dc-language-access-act-2004-english>

# Who is Covered?

**Covered Entities (§ 2-1931 (2)) required to comply with the Language Access Act include:**

Any District government agency, department, or program that furnishes information or renders services, programs, or activities directly to the public or contracts with other entities, either directly or indirectly, to conduct programs, services, or activities.

**THIS INCLUDES GRANTEES AND CONTRACTORS OF AGENCIES PROVIDING DIRECT SERVICES TO THE PUBLIC**

*The regulations provide interpretational guidelines for the law (Chapter 12).*

# OHR Language Access Program

- **Established by the Language Access Act of 2004 to be housed at the Office of Human Rights (OHR)**
- Staffed by a Director, Program Analyst, Program Specialist
- 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
- OHR's LA Program has **4 major responsibilities:**
  - i. Technical Assistance
  - ii. Compliance Monitoring
  - iii. Enforcement
  - iv. Outreach and Education



# OHR's Scorecard for DACL for FY '19

- Strengthen its data collection source by tracking bilingual staff encounters with LEP/NEP constituents.
- Train its staff starting with its frontline employees as the field test showed that staff is not prepared to engage LEP/NEP seniors or provide them with their right to services in their native language as required under the Language Access Act.
- Translate DACL's brochure, "Long-Term Care Guide," into the most frequently languages encountered by the agency and place links to all translated documents in the "Language Support" section of its website so they are fully accessible to the LEP/NEP community.

Overall  
Compliance  
Score:

**08 / 14**

# 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 published in the **Annual Compliance Report** issued by OHR.

## Common findings from FY19 testing:

- Turning away testers with no assistance
- 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
- Asking someone to return on a day when a bilingual staff member is present



# Compliance Requirements

**Any grantee or contractor that provides services under a covered entity's mandate is required to:**

- I. Collect data on encounters with LEP/NEP customers and report this data to the covered entity on a quarterly basis
- II. Provide oral interpretation services via qualified telephonic interpreters, in-person interpreters, or bilingual staff
- III. Translate vital documents according to the same standards required of the covered entity
- IV. Train personnel on language access compliance requirements
- V. Certify in writing that LA Act compliance requirements will be satisfied
- VI. Display multilingual signage on availability of interpretation and translations services in all public facing locations

Section 1205.16 of the Language Access Act regulations

# I. Data Collection Requirements

**Grantees must collect data on the demand for language assistance by LEP/NEP populations “served or encountered, or likely to be served or encountered and report this data to the funding agency on a quarterly basis.**

OHR requests the following components in data collection reports:

- Languages encountered;
- Number of encounters per language; and
- How interpretation was provided (telephone interpreter, in-person interpreter, or bilingual staff)

*Encounters consist of both customers and individual interactions. Each interaction counts as an encounter because every interaction uses agency resources.*

## II. Interpretation Requirements

**Grantees and Contractors must offer interpretation services either over the phone or in person, in the primary language spoken by a customer identified as LEP/NEP and:**

- ▣ Exclusively use professional and qualified interpreters and not family, friends, neighbors, volunteers, bystanders without obtaining a waiver.
- ▣ Set up an active account with a telephonic interpretation service provider in order to have access to an interpreter over the phone at all times.
  - The District uses Language Line Solutions (LLS) for telephonic interpretation services and covered entities set up an account under which a fee is charged for each call.
  - To set up a new account, funded entities should contact LLS directly (call 1-800-752-6096 and press 4).

# III. Translation Requirements

**Documents must be translated into any language spoken by LEP/NEP populations that constitute 3% or 500 individuals, whichever is less, of the population served or encountered, or likely to be encountered, by the covered entity or by its grantees and contractors.**

LEP/NEP populations vary somewhat by agency - the top languages in the District include Spanish, Amharic, French, Chinese, Korean, Vietnamese, Arabic, Tagalog, German, Korean, Portuguese, and Russian.

**Vital documents include, but are not limited to:**

- Documents which inform individuals about their rights and responsibilities or eligibility requirements for benefits
- Documents that pertain to the health and safety of the public
- Educational and outreach materials produced by the covered entity

OHR encourages the use of multilingual taglines on non-vital documents.

## IV. Training Requirements

**All grantee employees in public contact positions must be trained on the requirements of the DC Language Act and the resources they can use to serve LEP/NEP customers.**

Language Access Compliance trainings are provided by OHR or by the funding agency, and may be delivered in the following formats upon approval by OHR:

- Web-based training
- In-person training
- New hire orientation

## V. CERTIFICATION OF CONTRACTOR/GRANTEE COMPLIANCE WITH THE DC LANGUAGE ACCESS ACT OF 2004

Ensure that contractors hired by the covered entity to carry out services, programs, or activities directly to the public are in compliance with the Act.

[SAMPLE]  
CERTIFICATION OF  
CONTRACTOR/GRANTEE COMPLIANCE WITH  
THE DC LANGUAGE ACCESS ACT OF 2004

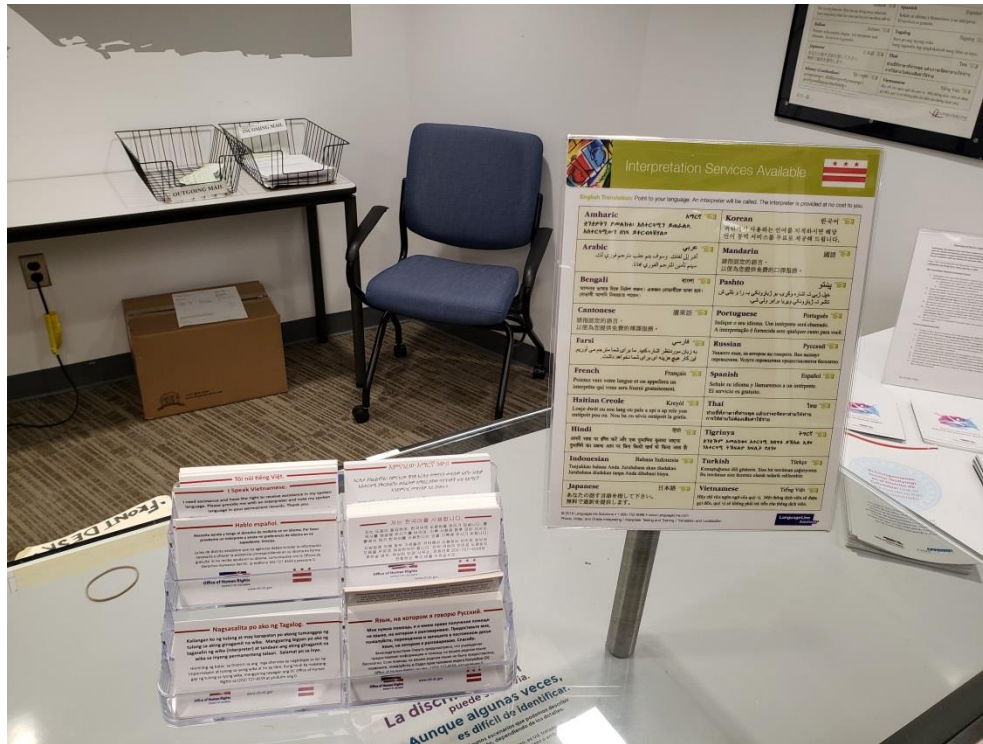
\_\_\_\_\_ is a [contractor/grantee] of  
\_\_\_\_\_ [INSERT NAME OF COVERED ENTITY] [contracted/funded] to  
carry out services, programs, or activities directly to the public. This is to certify that  
\_\_\_\_\_ understands and agrees to satisfy the following compliance  
requirements for contractors and grantees of covered entities outlined in Section 1205.16 of the  
DC Language Access Act of 2004:

1. Collect data on encounters with Limited or Non-English Proficient (LEP/NEP) customers and report this data to the covered entity on a quarterly basis.
2. Provide oral interpretation services to LEP/NEP customers using telephonic interpretation, in-person interpretation or qualified/certified bilingual staff. Display and disseminate Language Access materials at front facing area or information center including but not limited to know your rights cards, language access fact sheets/posters.
3. Translate vital documents into languages that meet the 3% or 500 threshold of customers served or likely to be served by the contractor/grantee.
4. Provide Language Access Compliance training to all personnel using training provided or approved by the DC Office of Human Rights.
5. Certify in writing that language access compliance requirements will be satisfied.

Name of Grantee/Contractor \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_



# VI. Display multilingual signage on availability of interpretation and translations services in all public facing locations





# LANGUAGE ACCESS PROGRAM

DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS

- Language Access Implementation Resources



# Language Identification Poster



Interpretation Services Available



**English Translation:** Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.

<p><b>Amharic</b> አማርኛ </p> <p>ቋንቋዎችን ያመልክቱ። እስተርጓሚ ይጠራል። እስተርጓሚው በነጻ ይቀርብልዎላታል።</p>	<p><b>Korean</b> 한국어 </p> <p>귀하께서 사용하는 언어를 지정하시면 해당 언어 통역 서비스를 무료로 제공해 드립니다.</p>
<p><b>Arabic</b> عربي </p> <p>أشرك إلى لغتك. وسيتم الاتصال بمتكلم فوري. كما سيتم إحضار المترجم الفوري مجانًا.</p>	<p><b>Mandarin</b> 國語 </p> <p>請指認您的語言，以便為您提供免費的口譯服務。</p>
<p><b>Bengali</b> বাংলা </p> <p>আপনার ভাষার দিকে নির্দেশ করুন। একজন দোভাষীকে ডাকা হবে। দোভাষী আপনি নিখরচায় পাবেন।</p>	<p><b>Pashto</b> پښتو </p> <p>ځپلي ژمي ته اشاره وكړئ. يو ژباړونكي به راپيل شي. ستاسو له پاره د ژباړونكي انتظام په وړيا توگه كيږي.</p>
<p><b>Cantonese</b> 廣東話 </p> <p>請指認您的語言，以便為您提供免費的口譯服務。</p>	<p><b>Portuguese</b> Português </p> <p>Indique o seu idioma. Um intérprete será chamado. A interpretação é fornecida sem qualquer custo para você.</p>
<p><b>Farsi</b> فارسي </p> <p>زيان مورد نظر خود را مشخص كنيد. يك مترجم براي شما درخواست خواهد شد. مترجم بصورت رایگان در اختيار شما قرار می گيرد.</p>	<p><b>Russian</b> Русский </p> <p>Укажите язык, на котором вы говорите. Вам вызовут переводчика. Услуги переводчика предоставляются бесплатно.</p>
<p><b>French</b> Français </p> <p>Indiquez votre langue et nous appellerons un interprète. Le service est gratuit.</p>	<p><b>Spanish</b> Español </p> <p>Señale su idioma y llamaremos a un intérprete. El servicio es gratuito.</p>
<p><b>Haitian Creole</b> Kreyòl </p> <p>Lonje dwèt ou sou lang ou pale a epi n ap rele yon entèprèt pou ou. Nou ba ou sèvis entèprèt la gratis.</p>	<p><b>Thai</b> ไทย </p> <p>ช่วยชี้ที่ภาษาที่ท่านพูด แล้วเราจะจัดหาผู้ให้ท่านการให้สำเนียงและเสียงฟรีให้ท่าน</p>
<p><b>Hindi</b> हिंदी </p> <p>अपनी भाषा की इंगित करें। बिलकुल अनुहार आपके लिए दुभाषिया बुलाया जाएगा। आपके लिए दुभाषिया की निशुल्क व्यवस्था की जाती है।</p>	<p><b>Tigrinya</b> ትግርኛ </p> <p>ቋንቋዎን ያመልክቱ። እስተርጓሚ ይጠራል። እስተርጓሚው በነጻ ይቀርብልዎላታል።</p>
<p><b>Indonesian</b> Bahasa Indonesia </p> <p>Tunjukkan bahasa Anda. Penerjemah akan dihubungi. Penerjemah disediakan gratis tanpa dikenakan biaya.</p>	<p><b>Turkish</b> Türkçe </p> <p>Konuştuğunuz dili gösterin. Sizin için bir çevirmen aranacaktır. Bu çevirmen size ücretsiz sağlanır.</p>
<p><b>Japanese</b> 日本語 </p> <p>あなたの話す言語を指してください。無料で通訳サービスを提供します。</p>	<p><b>Vietnamese</b> Tiếng Việt </p> <p>Hãy chỉ vào ngôn ngữ của quý vị. Một thông dịch viên sẽ được gọi đến, quý vị sẽ không phải trả tiền cho thông dịch viên.</p>

Poster provided by LanguageLine Solutions © 2015 • 1-800-752-6096 • www.LanguageLine.com  
Over-the-Phone, Video Remote, and Onsite Interpreting/ Interpreter Testing and Training • Translation and Localization

- 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

### I Speak Vietnamese.

I need assistance and have the right to receive assistance in my spoken language. Please provide me with an interpreter and note my spoken language in your permanent records. Thank you.

District law requires that agencies provide you with information and assistance in your language for free. If you do not receive help in your language, please call the DC Office of Human Rights at (202) 727-4559 and press 0.



[www.ohr.dc.gov](http://www.ohr.dc.gov)



### Tôi nói tiếng Việt.

Tôi cần sự trợ giúp và tôi có quyền được nhận sự trợ giúp trong ngôn ngữ mà tôi nói. Xin hãy cung cấp cho tôi một thông dịch viên, và ghi vào hồ sơ của quý vị rằng tôi sẽ nói tiếng Việt trong mọi lần giao tiếp trong tương lai.

Luật lệ của Quận quy định rằng mọi cơ quan phải cung cấp miễn phí cho quý vị những thông tin và trợ giúp bằng ngôn ngữ của quý vị. Nếu quý vị không nhận được sự trợ giúp bằng ngôn ngữ của quý vị, xin gọi số 202-727-4559 và nhấn số 0 để nối với Văn Phòng Nhân Quyền của DC.



[www.ohr.dc.gov](http://www.ohr.dc.gov)



# Interpreter Waiver Form (in 6 languages)

Covered entities are required to use professional interpreters or bilingual staff at all times and should **never rely on minors, friends, family members, or other customers to serve as an interpreter.**

If a LEP/NEP customer refuses the interpretation services you offer, the customer must sign this form.

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.

GIẤY KHƯỞC TỬ CUNG CẤP DỊCH VỤ THÔNG DỊCH MIỄN PHÍ

Tôi, \_\_\_\_\_ xác nhận rằng \_\_\_\_\_ đã thông báo cho tôi rằng  
-<insert Constituent's Name here> -<insert Agency Name here>

theo Đạo Luật Thông Tin Đa Ngôn Ngữ của D.C năm 2004 (D.C. Language Access Act of 2004), tôi được quyền sử dụng một thông dịch viên miễn phí chuyên nghiệp và đã qua đào tạo. Bằng việc ký tên dưới đây, tôi xác nhận rằng tôi đã khước từ dịch vụ này và chọn sử dụng một thông dịch viên khác mà tôi đã tìm được để giúp đỡ tôi. Tôi biết rằng người này chưa được \_\_\_\_\_ biết đến hoặc kiểm tra và rằng  
-<insert Agency Name here>

\_\_\_\_\_ không chịu trách nhiệm về việc cung cấp các dịch vụ này và cũng  
-<insert Agency Name here>

không gánh chịu bất kỳ trách nhiệm pháp lý nào có thể nảy sinh từ các dịch vụ này. Tôi cũng hiểu rằng việc khước từ này chỉ áp dụng cho duy nhất một trường hợp này mà thôi. Nếu tôi cần thông dịch viên của \_\_\_\_\_ giúp đỡ sau này, tôi sẽ thông báo trực  
-<insert Agency Name here>

tiếp cho cơ quan này để yêu cầu cung cấp dịch vụ này.

\_\_\_\_\_

Tên In

\_\_\_\_\_

Ký Tên Ngày

---

OFFER OF FREE INTERPRETER SERVICES WAIVER FORM

I, \_\_\_\_\_, acknowledge that \_\_\_\_\_ has notified me of my right to a professional and trained interpreter as required by the D.C. Language Access Act of 2004 at no cost to me. By signing below I agree that I have refused this service and opted to rely on interpreter assistance by someone I have identified. I am aware that this individual was not identified by or vetted through \_\_\_\_\_ and that \_\_\_\_\_ is neither responsible for the provision of these services nor does not incur any liability that may result from these services. I am also aware that this waiver only applies to this one instance. If I require interpreter assistance from \_\_\_\_\_ in the future, I will notify the agency directly to request this service.

\_\_\_\_\_

Print Name

\_\_\_\_\_

Signature Date

D.C. Office of Human Rights  
Language Access Program  
§ 1205.18 of Chapter 12, IV DCMR

Vietnamese

# Taglines (available in 6 languages)



## Reference guide: Multilingual Taglines Version 1

English – Amharic – Chinese – French – Korean – Spanish – Vietnamese

**HELP IN YOUR LANGUAGE**  
If you need help in your language, please call \_\_\_\_\_ for free interpreter assistance.

የእርስዎ ቋንቋ ላይ ስራ ላይ ለሌሎች ለማድረግ እንዲችሉ ይታወቅዎታል።

**語言協助**  
如果您需要(中文)接受幫助, 請電洽 \_\_\_\_\_, 將免費為您提供口譯員服務

**AIDE LINGUISTIQUE**  
Si vous avez besoin d'aide en Français appelez-le \_\_\_\_\_ et l'assistance d'un interprète vous sera fournie gratuitement.

**언어 지원**  
한국어로 언어 지원이 필요하신 경우 \_\_\_\_\_ 로 연락을 주시면 무료로 통역이 제공됩니다.

**AYUDA EN SU IDIOMA**  
Si necesita ayuda en Español, por favor llame al \_\_\_\_\_ para proporcionarle un intérprete de manera gratuita.

**GIÚP ĐỠ VỀ NGÔN NGỮ**  
Nếu quý vị cần giúp đỡ về tiếng Việt, xin gọi \_\_\_\_\_ để chúng tôi thu xếp có thông dịch viên đến giúp quý vị miễn phí.



## Reference guide: Multilingual Taglines Version 2

English – Amharic – Chinese – French – Korean – Spanish – Vietnamese

**IMPORTANT NOTICE**  
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.

አስፈላጊ ጥያቄ  
ይህ ሰነድ ባለቤቱ ለአስፈላጊ መረጃ ይቀርባል። ለተጨማሪ መረጃ ወይንም ለሌሎች ስራ ላይ ለሌሎች ለማድረግ እንዲችሉ ይታወቅዎታል።

**重要通知**  
本文件包含重要資訊, 如果您需要(中文)接受幫助或者對本通知有任何疑問, 請電洽 \_\_\_\_\_, 將免費為您提供代辦處所說的語言, 貴區區內您提供口譯員服務, 謝謝!

**AVIS IMPORTANT**  
Ce document contient des informations importantes. Si vous avez besoin d'aide en Français ou si vous avez des questions au sujet de présent avis, veuillez appeler le \_\_\_\_\_. Demandez au représentant de service quelle langue vous parler et l'assistance d'un interprète vous sera fournie gratuitement. Merci.

**안내**  
이 안내문은 중요한 내용을 담고 있습니다. 한국어로 언어 지원이 필요하시거나 질문이 있으실 경우 \_\_\_\_\_ 로 연락을 주십시오. 필요한 경우, 고객 서비스 담당자에게 지원 받고자 하는 언어를 말씀하시면, 무료로 통역 서비스가 제공됩니다. 감사합니다.

**AVISO IMPORTANTE**  
Este documento contiene información importante. Si necesita ayuda en Español o si tiene alguna pregunta sobre este aviso, por favor llame al \_\_\_\_\_. Informe al representante de atención al cliente el idioma que habla para que le proporcione un intérprete sin costo para usted. Gracias.

**THÔNG BÁO QUAN TRỌNG**  
Tài liệu này có nhiều thông tin quan trọng. Nếu quý vị cần giúp đỡ về tiếng Việt, hoặc có thắc mắc về thông báo này, xin gọi \_\_\_\_\_. Nói với người trả lời điện thoại là quý vị muốn nói chuyện bằng tiếng Việt để chúng tôi thu xếp có thông dịch viên đến giúp quý vị miễn phí. Xin cảm ơn.

*Translated documents should be available for languages that hit the 3% threshold.*

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.”





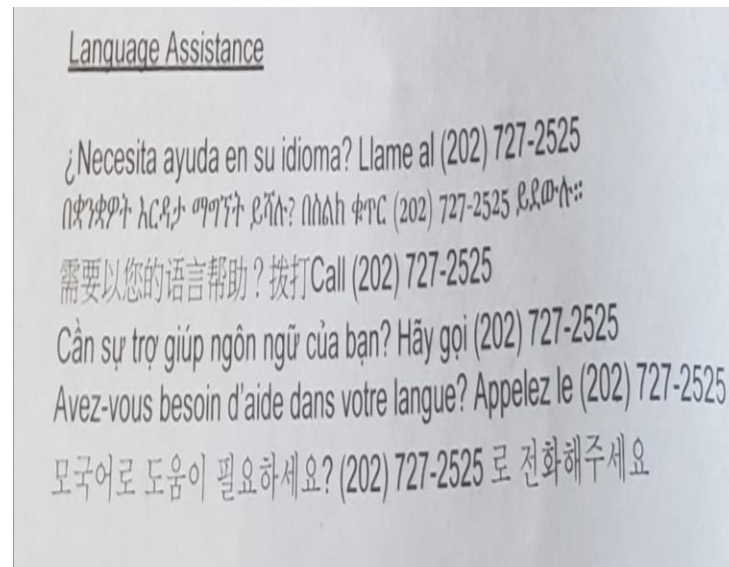
# Proper use of taglines

## Incorrect usage of taglines:

*If you need information about electronics recycling in Spanish, Chinese, Vietnamese, Korean, Amharic or French, please call (202) 535-2600.*

LEP/NEP person cannot understand because it is in English only.

## Correct usage:



The taglines are in the foreign languages. The LEP/NEP individual will understand because it is in their language.

# Vendors



- ACSI Translations



- Transperfect



- Multicultural Community Service (MCS)



- LanguageLine Solutions (LLS)

# LA Information: 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

**If you need to access a resource or document, you can ask OHR!**



## LANGUAGE ACCESS PROGRAM

DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS

Welcome to the Language Access Information Portal

አማርኛ ቋንቋ አገልግሎት መግቢያ (Language Access in Amharic) • 汉语语言利用 (Language Access in Chinese) • Accès linguistique en français (Language Access in French) • 한국어 언어 서비스 (Language Access in Korean) • Acceso lingüístico en español (Language Access in Spanish) • Tiếp Cận Ngôn Ngữ Bằng Tiếng Việt (Language Access in Vietnamese)

The Language Access Program is dedicated to removing language as a barrier to obtaining information and services from the District government. Whether you are a member of the public or a District employee, this is where you can find resources to help you understand and fulfill your language access rights and responsibilities.

- [About the Language Access Program](#)
- [Resources for the public](#)
- [Requirements and resources for covered entities](#)
  - [Toolkit for covered entities](#)
- [Requirements and resources for covered entities with major public contact](#)
  - [Toolkit for covered entities with major public contact](#)



Office of Human Rights  
DISTRICT OF COLUMBIA

# DC Office of Human Rights

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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<http://ohr.dc.gov/>

# Language Access Program Partners

- **Mayor's Office on Latino Affairs**
  - (202) 671-2825 | [ola.dc.gov](http://ola.dc.gov)
- **Mayor's Office on Asian and Pacific Islander Affairs**
  - (202) 727-3120 | [apia.dc.gov](http://apia.dc.gov)
- **Mayor's Office on African Affairs**
  - (202) 727-5634 | [oaa.dc.gov](http://oaa.dc.gov)
- **DC Language Access Coalition**
  - (202) 470-6835 | [dclacordinator@gmail.com](mailto:dclacordinator@gmail.com)