

Language Access Plan

Administrative Hearing Office

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Administrative Hearing Office's Language Access Representative

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I. DEPARTMENT DESCRIPTION

The AHO handles the following types of cases: Hearings under Title 14 (See fine schedule AMC 14.60.030 for Jurisdiction) Administrative appeals such as DHHS licensure determination and Transportation Inspection regulatory actions, Post Seizure Probable Cause Hearings, and Animal Control Hearings under Title 17.

II. INTRODUCTION

This *Language Access Plan* has been prepared to address the Municipality of Anchorage Administrative Hearing Office's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including the Municipality of Anchorage.

Pursuant to Anchorage's Municipal Policy and Procedure #16-6, the Municipality of Anchorage must "provide timely and meaningful access to LEP and deaf or hard-of-hearing individuals in the conduct of municipal business." Part of meaningful access is up-to-date plans for each Municipal Agency to best support residents and visitors of this city, not only to meet Federal Civil Rights laws, but also to create a more welcoming municipal government and community for all people.

Plan Summary

The Administrative Hearing Office has developed this *Language Access Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency [LEP] who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the Administrative Hearing Office used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the Municipality of Anchorage.
2. The frequency with which LEP persons come in contact with Municipality of Anchorage services.

3. The nature and importance of services provided by the Municipality of Anchorage to the LEP population.
4. The interpretation services available to the Municipality of Anchorage and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

II. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons in the service area who may be served or are likely to require Municipality of Anchorage services.

The Mayor’s Language Access Liaison examined the U.S. Census Bureau’s 2009-2013 American Community Survey, Table B16001 “Language Spoken at Home by Ability to Speak English for the Population 5 years and Over.” Through an analysis of population sorted by census tracts within the Municipality of Anchorage, it was determined that approximately 6.2% of the Anchorage population (17,050 individuals) speak English “less than very well”. It should be noted that “less than very well” is inclusive of responses indicating they spoke English “not well,” and “not at all.”

Table 2
Populations Exceeding the LEP Safe Harbor Threshold
(5% of total population or 1,000 individuals – whichever is less)

Primary Language Spoken	# of Individuals	% of Population
Tagalog	3881	1.4
Spanish or Spanish Creole	3287	1.2
Hmong	1687	0.6
Korean	1539	0.6
*Other Pacific Island Languages	1379	0.5

* "Other Pacific Island Languages" includes, but is not limited to: Chamorro, Hawaiian, Ilocano, Indonesian, and Samoan

2. The frequency with which LEP persons come in contact with the Administrative Hearing Office’s services.

The Administrative Hearing Office’s Representative reviewed the frequency with which office staff have, or could have, contact with LEP persons. The Administrative Hearing Office has provided telephonic services for Bulgarian 1 time between January 2018 and August 2018.

3. The nature and importance of services provided by Administrative Hearing Office to the LEP population.

Due to the great diversity of languages spoken in the Municipality of Anchorage, the Administrative Hearing Office recognizes that staff will come into contact with the LEP population. Staff are most likely to encounter LEP individuals through office visits, phone conversations, hearings, and community meetings or gatherings.

4. The resources available to the Administrative Hearing Office, and overall costs to provide LEP assistance.

The Administrative Hearing Office reviewed its available resources that could be used for providing LEP assistance and which documents would be most valuable to be translated if the need should arise. The Administrative Hearing Office will use Language Link for telephonic interpretation services, the Alaska Institute for Justice-Language Interpreter Center for in-person interpretation and will seek quotes for necessary translation from both entities. Currently, Language Link does not provide services in any Alaska Native Language, so we will exclusively use the Language Interpreter Center for these needs.

III. LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

A. Identification of a LEP Person who needs language assistance services

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to the Administrative Hearing Office services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How the Administrative Hearing Office staff may identify an LEP person who needs language assistance:

- Signage about language services in different languages
- “Point to Your Language” Posters
- Self-identify as needing an interpreter
- Assessed and trained bilingual staff to assist
- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- At public meetings, set up a sign-in sheet table and have a staff member greet and briefly speak to each attendee. This method will allow staff to informally gauge the attendee’s ability to speak and understand English, while asking an open-ended question that requires a full sentence reply;
- Survey frontline staff of any direct or indirect contact with LEP individuals.

B. Language Assistance Measures

Although the Administrative Hearing Office has been using Language Link and the Language Interpreter Center since 2016, a recording and reporting mechanism will be implemented in July 2018. Invoices from both vendors assist in providing this information.

1. The Administrative Hearing Office staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - i. “Point to Your Language” posters and brochures will be in easy view of front desk
 - ii. Language Link brochures with “Point to Your Language” language identification and instructions for use will be given to all Administrative

- iii. Hearing Office employees and interns
- iii. Staff will be trained on how to identify language of LEP through use of “Point to Your Language” cards or through assistance of Language Link operator
- iv. Staff will utilize Google Translates for quick assistance if a LEP person requires assistance with a document. Determination will be made for long documents if paid translation is to be pursued.

IV. Staff Training

The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the “Point to Your Language” cards and posters
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint
- Working with an interpreter
- Specific note that staff are prohibited from asking for citizenship status of any individual

All contractors or subcontractors performing work for the Municipality of Anchorage will be required to follow the Title VI/LEP guidelines.

V. TRANSLATION OF DOCUMENTS

- The Administrative Hearing Office will determine if certain documents should be translated for future use in the next year.
- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

VI. MONITORING

Monitoring and Updating the LAP- the Administrative Hearing Office will update the LAP as required. At a minimum, the plan will be reviewed annually and updated with data points from following year and incorporate any new U.S. Census data as available. Updates will incorporate data gained from the reporting tool and staff observation, including:

- The number of documented LEP persons encountered in previous year
- Determination of the current LEP population in the service area
- How the needs of LEP persons have been addressed
- Determination as to whether the need for translation services has changed
- Determination of whether local language assistance programs have been effective and sufficient to meet the need
- Determination of whether the Administrative Hearing Office financial resources are sufficient to fund language resources needed
- Determination of whether the Administrative Hearing Office fully complies with the goal of this Language Access Plan
- Determination of whether complains have been received concerning the agency’s failure to meet the needs of LEP individuals

VII. DISSEMINATION OF ADMINISTRATIVE HEARING OFFICE LANGUAGE ACCESS PLAN

- Post signs at the Administrative Hearing office notifying LEP persons of the LEP Plan and how to access language services.
- The Notice of Rights under Title VI to the public is posted at all entrances in the Administrative Hearing Office and at the front desks
- LAP will be posted on the Administrative Hearing Office webpage
- Copies of the LAP will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request. Any questions or comments regarding this plan should be directed to:

Municipality of Anchorage Administrative Hearing Office
Language Access Representative
Amber J. Cummings
P.O. Box 196650 Anchorage, AK 99519-6650
907-343-4545 (phone)
cummingsaj@muni.org

And

Municipality of Anchorage Mayor's Office
Language Access Liaison
Amy Coffman
P.O. Box 196650 Anchorage, AK 99519-6650
907-343-7112 (phone)
coffmanaj@muni.org

Language Access Services Complaint Process:

- A complaint regarding the denial of language accessible services, or regarding the quality of language accessible services, including interpreters or translated materials, may be made in person, or in writing; or online at: https://moa_onlineforms.formstack.com/forms/language_access_complaint
- The complaint should specify the date, individuals involved, and the nature of the client (i.e. the interpreter was summarizing, or a LEP individual was denied services because they did not bring their own interpreter);
- All complaints will be directed to the department's Language Access Plan Representative, and the Mayor's Language Access Liaison, who will timely respond and make recommendations for corrective action, if needed;

Complaint form can be found online at:

https://moa_onlineforms.formstack.com/forms/language_access_complaint

Hard Copies will be available at the front desk and will be translated into Spanish, Tagalog, Korean, Hmong, Samoan and Yup'ik.

VIII. DEFINITIONS

- A. Essential Public Information: Any information used by a department when dealing with the public which is necessary to accomplish the department's mission and with respect to public safety, public health, and economic development.
- B. Department Language Access Representative: The employee designated by the department director to be responsible for the department Language Access Plan (LAP) program.
- C. Four Factor Analysis: The procedure to determine the level of need for language services by documenting: 1) the number and proportion of LEP persons as reported by the most recent census; 2) the frequency with which LEP persons visit various MOA locations; 3) the nature and kind of programs or activities LEP persons use; and 4) the available resources and overall costs for LEP services.
- D. Frontline: Applies to departments and/or personnel that have regular and substantive contact with the public via in person or telephonic communication. See addendum for MOA organization chart with highlighted departments required to have written Language Access Plans.
- E. Interpretation: The immediate spoken communication of meaning from one language (the source language) to another (the target language).
- F. Interpreter: A person who is bilingual or multilingual and possesses the ability to successfully convey a message from one language to another through oral communication.
- G. Language Access Plan (LAP): Department specific documents outlining the procedures and practices that the department will implement to provide language access services to LEP individuals.
- H. Limited English Proficient (LEP): Someone who is not able to speak, read, write or understand English at a level that allows the person to interact effectively with department staff. Individuals maintain the right to self-identity as a LEP person and should not in any circumstances be expected to pay for translation or interpretation services in order to effectively communicate with the department.
- I. Mayor's Language Access Liaison: The employee designated by the Mayor to support the LAP program and to support the Department Language Access Representative.

- J. Telephonic Interpretation: A service that connects human interpreters via telephone to individuals who wish to speak to each other but do not share a common language. The telephone interpreter converts the spoken language from one language to another, enabling listeners and speakers to understand each other. Interpretation over the telephone most often takes place in a consecutive mode, which means that the interpreter waits until the speaker finishes an utterance before rendering the interpretation into the other language.
- K. Translation: The written communication of meaning from one language (the source language) to another (the target language).
- L. Translator: A person who is bilingual or multilingual and possesses the ability to translate from one language to another in written form.