



Anchorage Equal Rights Commission

Language Access Plan

2018

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I. INTRODUCTION

The Anchorage Equal Rights Commission (AERC) was established in the Anchorage Charter in 1975 and is the municipal law enforcement agency charged with preventing and eliminating unlawful discrimination under Title 5 of the Anchorage Municipal Code. (See Anchorage Municipal Charter and Anchorage Municipal Code, Title 5). The AERC also enforces the Americans with Disabilities Act of 1990 (ADA - Title I) and Title VII of the Civil Rights Act of 1964 through a work-share agreement with the federal Equal Employment Opportunity Commission (EEOC).

This *Language Access Plan* has been prepared to address the AERC'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.

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 LEP 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

Plan Summary

The AERC's office has developed this *Limited English Proficiency 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 in 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 AERC relied, in part, on the Mayor's Language Access Liaison's 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 AERC.
 2. The frequency with which LEP persons come in contact with AERC's services.
 3. The nature and importance of services provided by the AERC to the LEP population.
 4. The interpretation services available to the AERC 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 came in contact with AERC’s services.

The AERC’s Language Access Plan Representative reviewed the frequency with which office staff has had, or could have had contact with LEP persons. This includes documenting phone inquiries or office visits. From July1, 2016 - July1, 2018, the AERC office provided an in-person interpreter for the deaf 10 times. Telephonic interpreters were provided as follows: Hmong 8 times, Russian 1 time, Tagalog 9 times, Korean 3 times, Thai 1 time and Spanish 28 times. Additionally, AERC paid to have the AERC Brochure translated to Spanish, Hmong, Samoan, Korean, Russian and Tagalog.

3. The nature and importance of services provided by AERC’s Office to the LEP population.

Due to the great diversity of languages spoken in the Municipality of Anchorage, the AERC 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, and community meetings or gatherings.

4. The resources available to the AERC, and overall costs to provide LEP assistance.

The AERC office reviewed its available resources to provide LEP assistance and to determine which documents would be the most valuable to be translated should the need arise. The AERC 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 of written documents from both entities. Currently, Language Link does not provide services in any Alaska Native Language, so AERC will exclusively use the Language Interpreter Center for those needs. AERC currently uses Visual Language Production for Sign Language interpreting.

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 AERC's 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 AERC Office staff may identify an LEP person who needs language assistance:

- AERC will post in-office signage about language services in different languages;
- AERC will use "Point to Your Language posters and brochures";
- AERC will rely on clients to self-identify as needing an interpreter;
- AERC will examine records requests for language assistance from past public meetings and events to anticipate the possible need for assistance at upcoming public meetings.

B. Language Assistance Measures

Although AERC has been using Language Link since 2016, and Visual Language Productions since 2017, a recording and reporting mechanism will be implemented in July 2017. Invoices from both vendors assist in providing this information.

1. AERC's staff will take reasonable steps to provide an opportunity for meaningful language access to LEP clients who have difficulty communicating in 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" identification and instructions for use will be given to all AERC's staff;
 - iii. Staff will be trained on how to identify the language of the LEP person through use of "Point to Your Language" cards or through assistance of a Language Link operator;
 - iv. Staff will utilize Google Translates for quick assistance if a LEP person

requires assistance with a document. A determination on an individual basis 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 MOA's responsibilities per/in regard to Title VI Policy and Language Access for LEP individuals ;
- Description of language assistance services offered by AERC to the public;
- Use of the "Point to Your Language" posters and brochures;
- How to document language assistance requests;
- How to handle a potential Title VI/LEP complaint;
- How to work with an interpreter;
- Specifically 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

- AERC's Brochure, with instructions on how to file a complaint with AERC, has been translated into numerous languages. If additional documents are determined to be "vital" they will also be translated.
- Quotes for document translation services will be received from both vendors before a contract is signed.

VI. MONITORING

Monitoring and Updating the LAP - AERC 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;
- How the needs of LEP persons have been addressed;
- Determine whether the need for translation services has changed;
- Determine whether local language assistance programs have been effective and sufficient to meet the need;
- Determine whether AERC's financial resources are sufficient to fund needed language resources;
- Determine whether AERC fully complies with the goal of this Language Access Plan;
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals;
- Utilize reporting to assist in modification of next year's LAP.

VII. DISSEMINATION OF AERC'S LANGUAGE ACCESS PLAN

- Post signs at the AERC office notifying LEP persons of the LAP and how to access language services;
- The LAP will be posted on the AERC's webpage;
- Copies of the LAP Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email;
- Any questions or comments regarding this plan should be directed to: AERC's Language Access Plan Representative at:
Natalie Day
907-343-4342
DayNK@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/aerc_language_access_complaint
- The complaint should specify the date, and the nature of the service (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 AERC's Language Access Plan Representative who will timely respond and make recommendations for corrective action, if needed.