LOS ANGELES COUNTY
CONSUMER & BUSINESS AFFAIRS

Board of Supervisors

Hilda L. Solis
First District

Holly J. Mitchell
Second District

Lindsey P. Horvath
Third District

Janice Hahn
Fourth District

Kathryn Barger
Fifth District

Director
Rafael Carbajal

Chief Deputy
Joel Ayala

February 6, 2024

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

APPROVAL OF NEW BOARD OF SUPERVISORS COUNTYWIDE LANGUAGE ACCESS POLICY (3 VOTES – ALL DISTRICTS)

SUBJECT

Recommendation to approve a Countywide Language Access Policy that will demonstrate the Los Angeles County Board of Supervisor's (County) commitment to equitable access to language services.

IT IS RECOMMENDED THAT THE BOARD:

Approve the attached Countywide Language Access Policy.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended action supports the County's mission to establish superior services through interdepartmental and cross-sector collaboration that both increases access to services and measurably improves the quality of life for the people and communities in the County.

- Demonstrates that the County is making investments that transform the lives of all County residents.
- Fosters vibrant and resilient linguistic communities
- Helps to realize an innovative County government responsive to residents' linguistic needs
- Demonstrates a commitment to equitable and culturally responsive access to government services.

BACKGROUND

On January 25, 2022, the Board of Supervisors (Board) unanimously passed a motion directing the Department of Consumer and Business Affairs (DCBA) and its Office of Immigrant Affairs (OIA), in consultation with County Counsel, the Department of Children and Family Services, the Alliance for Health Integration, the Department of Public Social Services, other impacted County departments, as well as strategic external partners and stakeholders, to develop and submit to your Board, within 180 days, a Countywide Language Access and Equity Plan.

On October 17, 2022, OIA submitted to your Board a report on Strengthening Language Access in County Services (Report). As part of its research, OIA conducted a landscape analysis of federal, state, and local language access programs, identifying best and promising practices. OIA engaged over 100 County and community stakeholders to get their perspectives and feedback on barriers confronting speakers of Languages Other Than English (LOTE) to accessing County services and programs.

On March 7, 2023, your Board unanimously passed a motion co-authored by Board Chair Supervisor Hahn and Supervisor Solis to adopt the Report along with its recommendations. The motion directed OIA, in consultation with County Counsel, to prepare a Countywide Language Access Policy (LA Policy) that will demonstrate the County's commitment to equitable access to language services for the Board's consideration and adoption.

JUSTIFICATION

Your Board recognizes that the region's cultural diversity is an essential part of its identity, as well as a source of growth and prosperity. Immigrants from all over the world migrate to Los Angeles seeking refuge, freedom, and opportunity. Equitable language access means access to improved life outcomes for all County residents. The ability to access services in one's preferred language can significantly contribute to the following:

- Improved health outcomes
- Economic security
- Educational achievement
- Employment opportunities

The County is one of the world's most culturally and linguistically diverse jurisdictions, with over 200 languages and dialects spoken. Due to historical and systemic inequity, not all County residents have had equal access to language services. Further, more than half of the County population speaks a language other than English at home, and one in three County residents live in a linguistically isolated household, meaning that no one over the age of 14 speaks English fluently.

This Policy will serve as a framework for County departments to provide linguistically and culturally responsive services to LOTE speakers. It is intended to complement the countywide effort to support anti-racism, diversity, inclusion, and equity. Integrating language access supports County departments in assisting LOTE speakers to reach their full potential at all stages of life by:

- Reducing disparities in life course outcomes, as well as disparities in public investment to shape those outcomes
- Developing and implementing strategies that identify and effectively support LOTE speakers as a historically disadvantaged population
- Authentically engaging LOTE-speaking residents, organizations serving LOTE speakers, and other community stakeholders to inform and determine interventions and investments
- Improving long-term outcomes for LOTE speakers both intergenerationally and multi-generationally
- Using language need data to effectively assess community equity needs and support timely assessment of progress
- Disaggregating data and analysis within racial/ethnic, language, and immigration status subgroups
- Working collaboratively and intentionally across departments as well as across leadership levels and decision-makers
- Acting urgently and boldly to achieve tangible results for LOTE speakers
- Aligning policies, processes, and practices to effectively address equity challenges through the County's workforce (i.e., personnel, contractors, vendors)

FISCAL IMPACT/FINANCING

Within two years from the time your Board adopts the LA Policy, OIA, in consultation with the Chief Executive Office, will analyze and report back on the fiscal impact of this policy based on a comprehensive analysis of needed resources to be determined during the process of implementation.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Federal, state, and local laws offer guidance on language access. Each department is governed by laws, policies, and procedures that govern language access in their specific field (e.g., health agencies needing to be compliant with HIPAA standards). Some of the major federal and state regulations include Title VI of the Civil Rights Act of 1964, Federal

Executive Order 13166, California Dymally-Alatorre Bilingual Services Act, and California Code 1135.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

OIA, as the County's coordinating agency for language access, will provide technical assistance and training to individual departments on developing their language access plans. This includes building a bench of outsourced interpreters and translators for non-threshold languages that can be a shared resource for all County departments.

Individual departments will develop their own annual language access plans that will include staff training and development of language access policies for both the County and the individual department. Additionally, strategic partnerships with community interpreters and translators will expand the county's capacity to deliver language access services through trained and certified professionals from the linguistic communities it seeks to serve. Upon Board approval, the proposed LA Policy would make the County the largest county nationwide with such a comprehensive policy.

CONCLUSION

DCBA requests that the Executive Officer, upon approval by the Board, return one adopted-stamped copy of this letter and policy to the Director of DCBA.

Respectfully submitted,



Rafael Carbajal
Director

RC:JA:RR

Attachment

c: Executive Office, Board of Supervisors
Chief Executive Office
County Counsel
Audit Committee

Policy #:	Title:	Effective Date:
0.000	Countywide Language Access Policy (Policy)	00/00/00

PURPOSE

Establishes a Countywide Language Access Policy ("Policy") that provides direction and guidelines for how Los Angeles County ("County") and its departments, commissions, and offices ("Departments") will ensure every resident of the County has equitable access to language services when interacting with the County. The intent of this Policy is to foster an organizational culture that realizes its commitment to equity and linguistically and culturally responsive service to one of the most diverse counties in the country.

REFERENCE

January 25, 2022, unanimously approved "Strengthening Language Access in County Services" Board motion

October 17, 2022, "Report Back on Strengthening Language Access in County Services" pursuant to the January 25, 2022 Board motion

March 7, 2023, unanimously approved "Improving Language Access in Los Angeles County" Board motion

POLICY

This Policy applies to all County Departments, administrative entities, and vendors conducting business on behalf of the County.

All Departments will strive to provide services, conduct internal operations, allocate resources, establish regulations, and operate facilities in a manner that support equitable language access for all individuals.

The Department of Consumer and Business Affairs ("DCBA") and its Office of Immigrant Affairs ("OIA") will provide leadership, accountability, technical assistance, and coordination

across Departments to support implementation and to ensure language services are offered in the pursuit of goals articulated in this Policy.

OIA will establish strategic goals and standards, identify areas of need to measure progress on the Policy, and report to the Board at regular intervals on such progress.

In addition, the County will have three strategic objectives to address the language access needs of speakers of Languages Other Than English ("LOTE"):

I. Empower the County's workforce to consistently deliver linguistically and culturally responsive service.

1. Prioritize the recruitment of staff that reflect the County's cultural and linguistic diversity;
2. Provide training, certification, and professional development opportunities that support the County workforce, consistently providing accurate, high-quality, and accessible language access services; and
3. Establish and maintain collaborations with vendors to provide accurate, high-quality, and accessible language access services.

II. Integrate language access, equity, and inclusion in every aspect of County work.

1. Collect and analyze data regarding language needs in order to make effective resource allocation decisions;
2. Include language access in countywide strategic plans and major initiatives; and
3. Incorporate language access and cultural responsiveness in County community engagement practices to engage diverse, underserved, and LOTE-speaking communities in the development of County plans, initiatives, and projects.

III. Support the County in having a flexible and efficient administrative, technological, and physical infrastructure to help meet the linguistic needs of County residents.

1. Invest in technology and infrastructure to ensure countywide language access for all County residents;
2. Expand equity-focused language access and culturally responsive outreach investments to increase support for community-based organizations, particularly those that represent and serve historically marginalized, immigrant and LOTE-speaking communities; and
3. Diversify the means of County support for equitable language access to include facilities, land use, funding, policies, and other means, and identify ways that each Department can assist in eliminating barriers to access.

Departments shall strive to incorporate the above three strategic objectives into their overall Language Access Planning.

DRAFT

Roles & Responsibilities

OIA as the County's Language Access Coordinator

OIA will serve as the coordinating agency for countywide language access. OIA will support Departments in developing their Departmental Language Access Plans ("DLAPs") through the following:

I. Provide technical assistance;
II. Coordinate trainings that complement the departmental language access trainings; and
III. Align County systems and structures around this Policy

OIA will also support Departments in effectively receiving, acknowledging, and resolving language access complaints. Complaints can be submitted directly by a complaining party or by a person or organization designated by the complaining party. The departmental complaint process should align with the guidance provided for DLAPs in Exhibit A of this Policy.

When acknowledging receipt of a complaint to the complaining party, the Department shall include the following:

I. A copy of the Language Access Complaint Form provided by OIA to the Department, redacted for any confidentiality based on legal requirements;
II. The URL for the online version of the Language Access Complaint Form; and
III. The OIA phone number and email address

Departmental Staffing of Language Access

Each Department shall identify a Departmental Language Access Liaison ("Departmental Liaison"). The Departmental Liaison will be the primary point of contact for any questions regarding the DLAP.

The Departmental Liaison will be responsible for oversight, implementation, and performance of the DLAP. The Departmental Liaison should report to the Department's executive leadership in order to assist executive leadership in making effective decisions about strategy, resources, and training to support the DLAP.

Implementation & Reporting

All Departments shall develop their DLAPs using the guidance provided in Exhibit A of this Policy and in consultation with the OIA. Every two years, following the first submission of a DLAP consistent with the guidance provided in Exhibit A of this Policy, each Department shall submit to OIA an updated DLAP that addresses any changes since the prior DLAP. Exhibit A of this Policy is subject to revision by OIA due to legal requirements and/or other needs as determined by OIA in consultation with the Departments.

DRAFT

RESPONSIBLE DEPARTMENT

Department of Consumer and Business Affairs

Chief Executive Office

DATE ISSUED/SUNSET DATE

Issue Date: February 6, 2024 **Sunset Date: February 5, 2026**

DRAFT

Exhibit A

DEPARTMENTAL LANGUAGE ACCESS PLAN ("DLAP")

To accomplish the goal of equitable access to language services, all County departments must submit a DLAP that clearly articulates strategies and procedures and effectively allocates resources.

Definitions

1. **Speaker of a Language Other Than English ("LOTE")**: Also known as Limited English Proficiency or English Language Learner, this designation refers to individuals who do not speak English as their primary language and do not read, write, or speak English.
2. **Preferred Language**: The primary language in which an individual prefers to read, write, and speak.
3. **Interpretation**: Rendering spoken or signed language into another language while maintaining the meaning and tone of the language.
4. **Translation**: Rendering written communication into another language while preserving meaning.
5. **Vital Documents**: Documents that affect enrollment, continued participation, or termination from a County program, benefit, or service.
6. **Language Access**: Providing free language assistance to LOTE speakers in their preferred language, including through interpretation and translation services, to help enable reasonable access to and an opportunity to fully participate in the services, resources, and programs administered by the County.
7. **Language Access Complaint:** Common scenarios include but are not limited to the availability of language services not communicated to the public when language services were not provided when requested, and when the quality of language services did not meet the needs of the LOTE speaker.

The DLAP shall address the following sections. If a section does not apply to the Department, the Department shall provide a reason for why it does not apply:

Part 1: Assessing Language Need

The DLAP shall describe procedures for the collection of data regarding clients' preferred language at every point of contact a LOTE speaker might have with the Department. Common points of contact include:

- Entrances to County facilities;
- Customer service counters;
- Telephonic consultations;
- Public meetings;

DRAFT

- Public events conducted online; and
- Community outreach

The DLAP shall describe the level of language assistance appropriate for each major point of contact with a LOTE speaker. For example, a bilingual County worker who speaks a LOTE speaker's language may be able to rely solely on their language skills to answer basic questions but may then schedule a certified interpreter to answer technical questions related to a benefit, program, or service.

The DLAP shall identify any priority languages for the Department and describe the methodology by which those determinations were made.

Part 2: Departmental Language Access Planning

Providing Spoken and Signed Interpreter Services

The DLAP shall describe the Department's procedures for the provision of spoken and signed interpreter services, including measures to inform the public of the availability of said services. The procedures shall include all the potential points of engagement with the public, including in-person interactions at a County service counter, telephonic benefits enrollment conversations, and interpretation at public meetings.

Translation of Written Information and Documents

The DLAP shall describe the Department's procedures for translating written information, including procedures for determining which written communications will be translated. Translation procedures shall apply to any communications with the public, including written documents, social media, agendas and transcriptions of meeting notes, and website text.

Use of Technology

The DLAP shall articulate guidance on the effective use of technology for language access, describing how human interpreters and translations are integrated into the overall process of language service provision. The plan shall also describe what efforts have been made to vet the qualifications of selected technology-based language services.

Conducting Training

The DLAP shall include a list of the trained individuals who receive a bonus for providing language services on behalf of the county, the languages in which they provide language services, and any formal certifications they might have.

In addition, the DLAP shall identify the need for further training to strengthen capacity according to the Department's business needs. Some examples of training topics include the following:

- The Department's legal responsibility to provide language access;
- The Department's basic language access strategies and protocols;
- When and how to access interpreter services;
- Protocols for identifying language needs and where to record this data;

DRAFT

- What to do if there is a challenge with the interpreter or interpretation process.

Notifying the Public About the Availability of Language Services

The DLAP shall describe how the Department will communicate to the public the availability of language services, including that services are free of charge.

The DLAP shall also describe the Department's strategies for communicating the availability of language services, especially in the primary points of contact with LOTE speakers, including conducting outreach to LOTE communities, displaying physical signage in County spaces, and publishing available language services on an easy-to-find place on the Department website.

Addressing Language Access Complaints

The DLAP shall describe any internal protocols and procedures that will support the Department in addressing the following steps to addressing a language access complaint:

1. **Receipt of a complaint**
   - The Language Access Complaint Form shall be provided in the complaining party's preferred language;
   - Complaints may be filed directly with the department;
   - Complaints may be filed with OIA:
     - Online using the OIA Language Access Complaint form; or
     - By calling the OIA's Language Access Manager, who will document and route the complaint to the appropriate department.
2. **Acknowledgment of a complaint**
   - Departments receiving complaints directly shall notify OIA within five (5) business days by forwarding the full complaint to the department;
   - Departments shall acknowledge receipt of any language access complaint received directly by the department or forwarded by the OIA in writing to the complaining party within ten (10) business days.
3. **Resolution of a complaint**
   Departments shall have ninety (90) business days from receipt of a direct language access complaint or notice from OIA of a language access complaint to resolve the complaint and communicate the resolution to the complaining party, unless it is an emergency complaint as defined by the Department's Emergency Policy in which case the response should be determined by the Emergency Policy.

The DLAP shall describe how the Department shall publish the language access complaint process in a prominent, easy-to-find location in electronic and print formation in their department.

The DLAP shall also describe the Department's protocols for addressing language access complaints.

DRAFT

Outsourcing Language Services

The DLAP shall compile a list of third-party language service providers the Department might use in implementing its language access strategy.

The DLAP shall outline the Department's protocols for staff accessing third-party providers and how the Department will go about training staff on these protocols.

Part 3: Annual Language Access Reporting

Starting in 2025, departments shall provide an annual report to the OIA by November 1 on the efficacy of their language access efforts to support the effective allocation of resources as part of the departments' annual budgeting process. Reporting shall include the following measures that will be addressed by the DLAPs:

- List of programs or services for which language services were requested, which languages were requested, and what services were provided;
- List of documents and communications translated and into which languages;
- Number of events in which a department provided interpretation;
- Number of people impacted/served through language assistance provided;
- List of language access complaints submitted to the Department or OIA and how those complaints were resolved.

DRAFT