

LANGUAGE ACCESS PLAN FOR LEP INDIVIDUALS

State Agency: New York State Office for the Prevention of Domestic Violence (OPDV)

Effective Date of Plan: April 1, 2015

Language Access Coordinator (LAC): Ellen C. Schell, Counsel

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PART 1 – INTRODUCTION

Pursuant to Executive Order No. 26 (“Statewide Language Access Policy”), we have prepared this Language Access Plan (“Plan”) that sets forth the actions we will take to ensure that persons with limited English proficiency (“LEP”) have meaningful access to agency services, programs, and activities.

Statement of Agency Services to the Public:

The New York State Office for the Prevention of Domestic Violence’s (OPDV) mission is to provide: training to professionals; policy advice to the Governor, legislature and other governmental entities; and public awareness and education on the issue of domestic violence. OPDV does not offer direct services to the public. However, the name of our agency leads some people to assume that we do. As a result, we have one Victim Service Coordinator that handles any calls from the public. The Victim Service Coordinator makes referrals to other State and local agencies that do provide direct services to domestic violence victims. Our Victim Service Coordinator refers callers to the Statewide Hotline number, which provides services in all languages.

Due to limited funding and printing restrictions, OPDV achieves its public awareness efforts by utilizing our two websites and two Facebook pages. Through our website utilizing a publication order form, we distribute a printed victim safety guide to help professionals. We also have a few brochures and posters available online in different languages. However, these (non-vital) documents do not confer access to State services, but instead raise awareness about the issue of domestic violence. All of OPDV’s materials make reference to the Statewide Hotline number.

In developing this plan, we have understood LEP individuals to be persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. We will reassess language needs periodically as needed, but at least every two years starting from the effective date of this plan.

PART 2 – ASSESSING LEP POPULATION LANGUAGE NEEDS

The estimated total number of individuals in our service area is: As stated above, OPDV does not provide direct services. However, anyone in New York State, constituting an approximate 19,651,127 individuals, could mistakenly call our number for direct services.

The top six languages spoken by LEP individuals that our agency serves or could potentially serve are as follows:

Language	Estimated Number of LEP Individuals Who Speak this Language
Spanish	1,230,302
Chinese	329,482
Russian	130,961
Italian	65,243
Korean	64,426
French (Haitian) Creole	64,046

Source: U.S. Census Bureau, 2008-2012 American Community Survey

We use the following resources to determine the top six languages spoken by LEP individuals:

- U.S. Census data (including American Community Survey data)
- Agency data on client contacts
- School system data
- Information from community organizations that serve LEP individuals

Names of organizations: Empire Justice Center.

- Information from other government agencies

Names of agencies: NYS Office of Temporary and Disability Assistance’s Bureau of Refugee and Immigrant Assistance.

- Other (describe)

We have determined the frequency of our contacts with LEP individuals as follows:

In the past year, no LEP individuals have contacted our Victim Service Coordinator for assistance. In 2013, the NYS Domestic & Sexual Violence Hotline responded to callers in the following 19 languages (listed in order by volume of calls): English; Spanish; Mandarin; Russian; Haitian Creole; Arabic; French; Bengali; Polish; Amharic; Japanese; Burmese; Greek; Hungarian; Portuguese; Punjabi; Swedish; Tigrinya; and Vietnamese.

PART 3 – PUBLIC OUTREACH AND NOTICE OF AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES

We inform LEP individuals, in the languages indicated in the chart in Part 2 of this plan, about their right to free language assistance services by using the following measures:

- LEP individuals are informed directly by our staff

In what ways? When OPDV's main number is called, staff verbally informs callers of free language assistance and refers them to the Statewide Hotline for direct services.

- Brochures or flyers about language assistance services

- In public areas of the agency

- Elsewhere in the agency's service areas

- Signs posted about language assistance services

- In public areas of the agency

- Elsewhere in the agency's service areas

- Outreach and presentations at schools, faith-based groups, and other community organizations

What are the LEP populations targeted?

- Local, non-English language media directed at LEP individuals in their languages

- Telephonic voice menu providing information in non-English languages

In which languages:

- Other (describe) Our main office has an outgoing message in English and Spanish that refers callers to the Statewide Hotline for direct services.

PART 4 – PROVISION OF LANGUAGE ASSISTANCE SERVICES

We use the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *in person*:

- "I Speak" posters or visual aids

- Reception staff makes those determinations based on experience, with the assistance of bilingual staff members where available

- Other (describe) We do not provide direct, in person services to the public.

We use the following resources to determine when an individual is LEP, and what the individual's primary language is, when the encounter is *by telephone*:

- Reception staff makes those determinations based on experience, with the assistance of bilingual staff members where available
- Telephonic interpreting service
- Other (describe)

We record and maintain documentation of each LEP individual's language assistance needs as follows:

OPDV currently maintains a database of referrals made by our Victim Services Coordinator, which includes information on the language spoken by each caller. The language assistance service provider provides OPDV with an ongoing summary of frequency of use, type of service provided and usage costs.

A. Oral Interpreting Services

Our protocol(s) for assessing whether an LEP individual needs oral interpreting services is as follows:

For in-person encounters:

By telephone: If the person cannot speak English or appears unable to communicate their needs clearly enough, staff utilizes its telephonic interpreting services and refers caller to the Statewide Hotline for direct services.

At initial contact in the field:

For pre-planned appointments with LEP individuals:

Other (describe):

Our protocol(s) for informing LEP individuals that they do not need to provide their own interpreters and that free interpreting services will be provided is as follows:

For in-person encounters:

By telephone: Staff using the contracted interpreter verbally informs LEP individuals of our free interpreting services.

At initial contact in the field:

For pre-planned appointments with LEP individuals:

Other (describe):

If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocol(s) for determining whether to accept or decline such an arrangement is as follows:

OPDV does not provide direct services to the public. However, LEP individuals that come into contact with our agency through our office's main phone number are informed of the availability of free interpreting services. They will then be referred to the Statewide Hotline for direct services.

Our protocol(s) for obtaining interpreter services in a timely manner is as follows:

The selected vendor used for interpretation will ensure that OPDV has access to interpreters in a timely manner.

We record and maintain documentation of oral interpreting services provided to LEP individuals at each encounter as follows:

We currently maintain a database of referrals made by our Victim Services Coordinator, which includes information on the language spoken by each caller. The language assistance service provider provides OPDV with an ongoing summary of frequency of use, type of service provided and usage costs.

Competency and confidentiality

The linguistic and cultural competence of interpreters is addressed as follows:

Where OPDV utilizes independent interpreting services, that vendor will implement quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent.

The issue of confidentiality pertaining to the use of interpreters is addressed as follows:

The training provided to staff will address the importance of confidentiality. Independent interpreters will enforce standards of confidentiality in accordance with NYS Law.

Maintaining a list of oral interpreting resources

We use, or have available for oral interpreting, the following resources:

- Bilingual staff members who work directly with LEP individuals

Number of staff and languages spoken:

- Bilingual staff members who provide oral interpreting when necessary

Number of staff and languages spoken:

- Telephonic interpreting service

Names of vendors: Language Line Solutions, Inc. and potentially any other vendor under OGS Statewide Administrative Services Contract.

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

Names of individuals/organizations and languages:

- Other (describe)

The agency's Language Access Coordinator maintains the list of oral interpreting resources that are available to staff, which includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the LEP individual's primary language
- Languages in which each interpreter or service is qualified
- Procedure for accessing each interpreter or service

We inform all staff members who have contact with the public how to obtain oral interpreting services as follows:

OPDV's staff handling phones will be trained to connect to the selected interpreting vendor in a timely manner.

B. Translations of Written Documents

The process to determine and reassess, at least every two years starting from the effective date of this plan, those vital documents (including website content) which must be translated is as follows:

The OPDV Public Information Officer, Counsel, and Victim Service Coordinator convenes on an annual and ongoing basis to review and identify any new or existing vital documents (including website content) that should be translated pursuant to the Executive Order.

The process to timely translate documents that LEP individuals submit in their primary languages is as follows:

All documents in need of translation will be sent to the selected vendor in a timely manner.

The process for ensuring that documents are written in plain language before they are translated into other languages is as follows:

OPDV currently has a very strong emphasis on providing all of our public education materials in plain language. OPDV will ensure that plain language is used in materials produced before translation to ensure information is accessible to a range of literacy levels.

The following documents are currently translated by the agency in the languages indicated:

OPDV has translated the following public awareness documents, but are not deemed vital by our office:

Finding Safety and Support, a victim's safety guide, is currently available for printed distribution in English and Spanish. On our website, it can be found in Arabic, English, Russian, Spanish and Chinese.

The process for ensuring that translations are accurate and incorporate commonly used words is as follows:

OPDV, through its vendor, will ensure that proofing/editing for correctness and cultural sensitivity are a component of the translation services provided by any vendor under contract as part of the publication process. OPDV will also ensure that plain language is used in materials produced before translation to ensure information is accessible to a range of literacy levels.

We use, or have available for translating, the following resources:

- Contracts with language service vendors

Names of vendors: Language Line Solutions, Inc. and potentially any other vendor under the OGS Statewide Administrative Contract.

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

Names of individuals/organizations and languages:

- Oral translations of written documents by bilingual staff members
- Oral translations of written documents by other individuals or community organizations
- Other (describe)

The agency's Language Access Coordinator maintains the list of written translation resources that are available to staff, which includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to provide oral translations of written documents
- Languages in which each translation service is qualified

- Procedure for accessing each translation service

PART 5 – STAFF TRAINING

The person(s) in the agency who is responsible for ensuring the provision of training to staff in language access issues is: Ellen C. Schell, Language Access Coordinator.

The staff training includes the following components:

- The legal obligations to provide meaningful access to benefits and services to LEP individuals
- How to access language assistance services
- How to work with interpreters
- Cultural competence and cultural sensitivity
- Documenting the language needs of LEP individuals and the language services provided to them by the agency
- How to obtain written translation services

The methods and frequency of training are as follows:

OPDV staff who have, or might have, direct access to LEP individuals, and the supervisors of those staff, are required to take the online Language Access training on the Statewide Learning Management System (SLMS) annually. Refresher courses will be provided as needed.

PART 6 – ADMINISTRATION

Monitoring

To ensure compliance with the Plan, the LAC will monitor its implementation as follows:

The LAC will monitor as follows:

- Ensure that all appropriate staff members are trained on the Language Access Plan;

- Require periodic reports from the Victim Service Coordinator and selected language assistance vendors;
- Ensure that all language access-related complaints are addressed;
- Review and evaluate data acquired from OPDV's website.

Complaints

We provide information to the public, including to LEP individuals in languages regularly encountered in this service area, advising them of the right to file a complaint if they feel that they have been the subject of discrimination. The information we provide describes how and/or where to file a complaint. We do not retaliate or take other adverse action because an individual has filed a complaint alleging discrimination based on LEP status or needs.

We display information on the right to file a complaint, and the procedures to file a complaint, in the following manner:

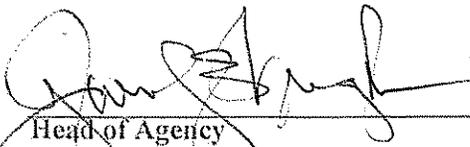
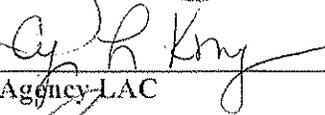
The standardized complaint forms are available to the public upon request in all six languages and through our website. Additionally, information on the right to file a complaint is posted in areas where it is easily seen by the public in the top six languages.

We handle complaints made to the agency regarding the provision of language assistance services in the following manner:

Counsel, I

All complaints are sent to OPDV's Counsel. Counsel, in conjunction with the Executive Director, will address and respond to the complaint.

PART 7 – SIGNATURES

	Executive Director	3/23/15
Head of Agency	Title	Date
	Agency LAC	3/23/15
Agency LAC	Title	Date
	Deputy Secretary for Civil Rights	3/4/15
Deputy Secretary for Civil Rights	Title	Date