



LANGUAGE ACCESS PLAN FOR LEP INDIVIDUALS

State Agency: New York Lottery

Effective Date of Plan: October 5, 2012

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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 Lottery (the Lottery) operates as an independent, revenue generating arm of the Department of Taxation and Finance. The Lottery’s sole mission is to raise revenue for education through the sale of Lottery tickets.

New York’s Lottery continues to be North America’s largest and most profitable Lottery, contributing nearly \$2.9 billion in State fiscal year 2011-2012 to help support education in New York State. The Lottery’s aid represents close to 15 percent of total State education funding to local school districts.

The Lottery’s Aid to Education contributions (profit) are generated from the sale of Traditional Lottery games (e.g. scratch-off games and draw games like the *Lotto*) sold through a diverse network of about 17,000 licensed retailers statewide, and from our Video Gaming Operations, which include nine Video Lottery Casinos statewide that independently employ about 9,000 licensed employees. For the Fiscal Year ending March 31, 2012, sales of our Traditional games totaled more than \$7 billion. Our Net Win (total bets less prizes) from our Video Gaming Operations totaled more than \$1.4 billion.

Lottery revenue is distributed to local school districts by the same statutory formula used to distribute other state aid to education. It takes into account both a school district’s size and its income level; larger, lower-income school districts receive proportionately larger shares of Lottery school funding.

The Lottery’s ongoing customer service, retailer support and retailer recruitment efforts as described in Part 2 are all critical to our mission’s success.

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: The NY Lottery services the entire State of New York. In addition, individuals from other states upon visiting NY can purchase lottery tickets and claim prizes.

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	1,216,200
Chinese	299,135
Russian	136,373
Italian	79,455
Korean	65,342
French (Haitian) Creole	52,292

Table B16001 “Languages Spoken at Home by Ability to Speak English for the Population 5 Years and Over.” U.S. Census Bureau per 2006-2008 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:

- Information from other government agencies

Names of agencies:

- Other (describe)

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

The Lottery's Working Group, comprised of eleven staff members across units, estimates (through an informal survey) that we have about 1,300 in-person encounters with LEP individuals statewide per week. The vast majority of these encounters involve Lottery players claiming a prize at one of our seven stand-alone Customer Service Centers (CSC) located in Garden City, Manhattan, Fishkill, Schenectady, Syracuse, Rochester and Buffalo or at the Guest Service Window (GSW) within one of our nine Video Gaming casinos located in Queens, Yonkers, Monticello, Saratoga, Vernon, Nichols, Farmington, Batavia, and Hamburg. Current Lottery rules and regulations stipulate that Lottery prizes less than \$600 can be claimed at any one of the Lottery's more than 16,500 licensed retailers statewide. Prizes of \$600 or more (including all jackpot winning tickets) must be claimed at one of the Customer Service Centers or at a casino Guest Service Window at the locations listed above.

Lottery employees also interact with the LEP public through our ongoing Retailer Sales Support and Retailer Recruitment programs wherein individual members of our field staff service an average of 150 to 200 retailers on a recurring schedule while a separate, dedicated team of employees focus on identifying prospective new retailers and facilitating the licensing process.

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? Lottery employees will verbally inform LEP individuals of their right to free language assistance services. In those instances where a staff member is not available to interpret or translate on behalf of a LEP customer at one of our CSCs or GSWs, staff is trained to call the toll-free Interpretalk service (currently available through State contract) on behalf of the LEP individual to enable a conversation in real time. Staff will also have the "I Speak" poster as a resource.

- 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: The Lottery offers a telephonic menu choice on its DIRAD system that allows LEP individuals to access our winning number information in English and Spanish. The Lottery will work on including the remaining top five languages to the voice menu option.

- Other (describe) The Lottery's website, nylottery.ny.gov, will include a notice of its free language assistance.

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 make those determinations based on experience, with the assistance of bilingual staff members where available
- Other (describe)

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 make those determinations based on experience, with the assistance of bilingual staff members where available
- Telephonic interpreting service
- Other (describe) The Lottery also offers a telephonic menu choice on its DIRAD system that allows LEP individuals to access our winning number information in English and Spanish. The Lottery will work on including the remaining top five languages to the voice menu option. Data will be gathered on the amount of callers using the DIRAD system.

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

- Number and types of calls made from a CSC/GSW to the State's toll-free Interpretalk translation/interpretation service;
- Number of calls coming into the State's DIRAD phone system opting to hear the Lottery's daily winning numbers information in Spanish;
- Number of retailers utilizing the Spanish "Help" screen on their selling terminal; and
- Number of retailer orientations conducted in other languages.

A. Oral Interpreting Services

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

For in-person encounters: Lottery's CSC/GSW staff use their own judgment based on experience to determine an individual's LEP needs. "I Speak" posters, which lists a variety of languages and asks the LEP individual to point to the language he/she speaks, will be utilized by staff to better facilitate real-time conversations (via Interpretalk or other such service on State contract).

By telephone: Lottery's CSC/GSW staff use their own judgment based on experience to determine an individual's LEP needs. Staff will facilitate real-time conversations via Interpretalk or other such service on State contract.

At initial contact in the field: Where possible, the Lottery assigns a bilingual field employee to a territory where his or her language skills would best serve the prevailing LEP population. Lottery's sales and statewide CSC/GSW staffs are trained to be sensitive to LEP situations and how to access interpretation and/or translation services when needed.

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: Lottery's staff will verbally inform customers of the agency's free interpreting services.

By telephone: Lottery's staff will verbally inform customers of the agency's free interpreting services.

At initial contact in the field: Lottery's staff will verbally inform customers of the agency's free interpreting services.

For pre-planned appointments with LEP individuals:

Other (describe): Information on the Lottery's website will include the availability of free interpreting services.

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:

LEP individuals that come into contact with our agency will be informed of the availability of free interpreting services. Generally, an LEP individual may not use a family member, friend, or a minor as an interpreter. However, during emergencies an LEP individual will be permitted to use a minor, a family member or friend as an interpreter. Upon request, an LEP individual may also be permitted to use a minor, a family member or friend as an interpreter for routine matters, such as asking the location of the office, hours of operation or rescheduling an appointment. Where the interaction with the LEP individual occurs at the agency's office, and an individual is permitted to use an interpreter of his or her choosing, he or she must fill out a written consent/waiver form.

Where an LEP individual is engaged in official business with the agency, the agency will provide an independent interpreter at all times. An LEP individual will not be permitted to use an independent interpreter of his or her choosing when filling out applications or when involved in other legal matters.

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

The selected vendor used for interpretation (via Interpretalk or other such service on State contract) will ensure that Lottery's staff has access to interpreters in a timely manner. Bilingual Lottery staff members, where available, will be used to promptly assist LEP individuals as well.

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

The telephonic service selected (via Interpretalk or other such service on State contract) will include thorough records on frequency of use, language spoken and costs associated with service.

Competency and confidentiality

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

On a case-by-case basis, Lottery uses multilingual staff volunteers who are self-assessed in their own language competency. Where an agency 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. Furthermore, 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:

<u>Location</u>	<u>Title</u>	<u>Language Certified</u>
Capitol/Adirondack/Hudson Valley (Field Staff)	Lottery Marketing Representative 1 (Native American Language)	Mohawk
Long Island (CSC)	Keyboard Specialist 1 (Spanish Language)	Spanish
NYC (CSC)	Keyboard Specialist 1 (Spanish Language)	Spanish
NYC (Field Staff)	Lottery Marketing Representative 1 (Spanish Language)	Spanish
NYC (Field Staff)	Clerk 2 (Spanish Language) now Lottery Marketing Representative 1	Spanish
NYC (Field Staff)	Lottery Marketing Representative (Spanish Language) now Supervising Lottery Marketing Representative	Mandarin
NYC (Field Staff)	Lottery Marketing Representative 1 (Chinese Language)	Cantonese
Schenectady (Security)	Sr. Investigator	Spanish

- Bilingual staff members who provide oral interpreting when necessary

Number of staff and languages spoken:

<u>Location</u>	<u>Title</u>	<u>Language</u>
Aqueduct	Sr. Administrative Analyst	Hindi/Punjabi/Urdu
Long Island (CSC)	Lottery Marketing Representative 1	Mandarin
Long Island(CSC)	Lottery Marketing Representative 1	Hindi/Malayalam

Long Island (CSC)	Lottery Marketing Specialist	Spanish
Long Island (CSC)	Lottery Marketing Representative 1	Polish/Hebrew/Yiddish
Long Island (CSC)	Calculations Clerk 2	Mandarin
NYC (CSC)	Supervising Lottery Marketing Representative	Hindi./Punjabi/Gujarati
NYC (CSC)	Senior Investigator	Italian
NYC (Field Staff)	Lottery Marketing Representative 1	Cantonese
NYC (Field Staff)	Lottery Marketing Representative 1	Cantonese
NYC (Field Staff)	Supervising Lottery Marketing Representative	Spanish
NYC (Field Staff)	Clerk 2	Spanish
NYC (Field Staff)	Lottery Marketing Representative 1	Greek
NYC (Field Staff)	Supervising Lottery Marketing Representative	Mandarin & Cantonese
NYC (Field Staff)	Lottery Marketing Representative 1	Italian
NYC (Field Staff)	Lottery Marketing Representative 1	Hindi/Telugu
NYC (Field Staff)	Lottery Marketing Representative 1	Spanish
NYC (Field Staff)	Lottery Marketing Representative 1	Hindi/Sindhi
NYC (Field Staff)	Lottery Marketing Representative 1	Spanish
NYC (Field Staff)	Senior Lottery Marketing Specialist	Korean
NYC (Field Staff)	Lottery Marketing Specialist	Shanghainese
Schenectady (Field Staff)	Lottery Marketing Specialist	Spanish
Schenectady (Video Gaming)	Lottery Supervising Research Specialist	Mandarin

Telephonic interpreting service

Names of vendors: Language Services Associates, Inc. (Interpretalk).

- 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:

Lottery will train staff that has direct contact with the public on available resources to obtain interpreting services.

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 Lottery will convene its Working Group annually to determine and reassess any new or existing vital documents that should be translated pursuant to the Executive Order. The Working Group is comprised of eleven staff members across units, including the LAC. All documents deemed vital will be sent to the selected vendor for translation into the top six languages.

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

Any documents in need of translation will be sent to the selected vendor contracted with the State 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:

All documents, vital and non-vital, intended for public dissemination from Lottery shall meet the plain language requirement. Lottery will ensure that any documents developed or edited can be clearly and easily understood by the intended reader. Reference to the list of commonly used words maintained by the Office of the Deputy Secretary for Civil Rights will be available for staff.

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

The Lottery identified its prize claim form as the only vital document. The prize claim form will be translated into the top six languages as per the Executive Order.

The process for ensuring that translations are accurate and incorporate commonly used words is as follows: (Note: The Office of the Deputy Secretary for Civil Rights will maintain a list of commonly used words.)

The Lottery, through its vendor (where applicable), 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. The Lottery 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: To be determined.

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 the provision of training to staff in language access issues is: Carolyn Hapeman, 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:

The LAC, with the assistance of the Human Resource and Legal Departments, will provide staff training to all staff that deals directly with the public. Training will include all the components listed in the prior question and will be conducted on an annual basis. Refresher courses will be given to staff periodically and new staff will be trained upon entrance. Resources and training materials on language access will become available to staff on Lottery's internal webpage.

The LAC has conducted a live training for some Lottery staff, specifically executive staff and regional managers, in June of 2012.

PART 6 – ADMINISTRATION

Monitoring

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

The Lottery's Working Group will frequently monitor the implementation of the Lottery's Language Access Plan in all of the relevant service units. The group will ensure that the Plan is being followed on an ongoing basis and that the agency is in compliance with the Executive Order.

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 will be available to the public upon request in all six languages and through the Lottery's website. Additionally, information on the right to file a complaint will be 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:

The standardized complaint forms will be available to the public upon request in all six languages and through the Lottery's website. The Lottery's Legal and Security units investigate any complaints received and make recommendations to the Lottery's General Counsel. Any complaints received from an LEP individual would be handled in the same manner. The Lottery does not and will not seek retaliation or take any other adverse action against a person for making a complaint or bringing his or her concerns to the Lottery's attention.

PART 7 – SIGNATURES

	Director	09/04/12
Head of Agency	Title	Date
	LAC	9/4/12
Agency LAC	Title	Date
		9/17/12
Deputy Secretary for Civil Rights		Date