



DISTRICT OF COLUMBIA HOUSING AUTHORITY

LANGUAGE ACCESS PLAN

March 14, 2023

I. PURPOSE

The purpose of this plan is to reflect the District of Columbia Housing Authority (DCHA's) compliance with the requirements of Law 15-167, the "Language Access Act of 2004." Law 15-167, enacted on April 21, 2004, promotes greater public access and participation in government services, programs, and activities. D.C. Official Code § 2-1931 designates DCHA as a covered entity under this law. DCHA, pursuant to relevant law, will provide equal access to programs and services to all persons living in, working in, or visiting the District of Columbia, regardless of their ability to speak English. Specifically, DCHA:

- i. Identifies a Language Access Team;
- ii. Offers interpretation services;
- iii. Collects and analyzes data on the demand for agency services in languages other than English;
- iv. Submits a yearly implementation report on the data collected and resulting analysis to the D.C. Office of Human Rights;
- v. Provides written translations of vital documents into non-English languages that meet the language threshold; and
- vi. Trains staff on language access compliance.
- vii. Establish and implement a Biennial Language Access Plan, and report the plan's progress on a quarterly basis to the D.C. Office of Human Rights.
- viii. Conduct outreach to limited and non-English proficient communities.

II. AUTHORITY

This plan is consistent with DCHA's mission, as well as applicable federal and District of Columbia laws, rules, and regulations. These laws, rules, and regulations include but are not limited to DC Code § 6-201 *et seq.*; the Civil Rights Act of 1964; the Language Access Act of 2004, D.C. Law 15-167, D.C. Official Code §2-1931 *et seq.*, effective June 19, 2004; and D.C. Municipal Regulations 4-12 (Language Access Act).

III. APPLICABILITY

This plan will apply to all DCHA members, defined as all employees as well as volunteers, contractors, and affiliates providing direct services to the public on the agency's behalf.

IV. DEFINITIONS

For the purpose of this plan, the following definitions apply:

- A. **"Bilingual"** refers to the ability to use two languages proficiently.
- B. **"Biennial Language Access Plan (BLAP)"** is a set of tailored goals and action items meant to improve a DC government agency's language access services. The BLAP contains specific and measurable action plans in areas of data collection, translation of vital documents, training of public contact staff, outreach initiatives, and hiring of bilingual staff that the agency commits to implement within a set timeline over a two-year period.
- C. **"Customer"** means an individual who may attempt to benefit from or receive services that DCHA provides.
- D. **"Interpretation"** is the conversion of oral wording from one language (the source language) into equivalent oral wording in another language (the target language). Interpretation may occur in-person or over the phone. Although the public and media often use the term interchangeably with "translation," the word "interpretation" refers to oral speech and "translation" refers to written texts.
- E. **"I Speak' Cards"** are a resource with which limited or non-English proficient individuals may identify their primary language. The wallet-sized cards are promulgated by the D.C. Office of Human Rights and state the following in both English and the applicable non-English language: "I speak *non-English language]. I need assistance and have the right to receive assistance in my spoken language. Please provide me with an interpreter and note my spoken language in your permanent records. Thank you."
- F. **"Language Access Point of Contact" or "Language Access Coordinator"** refers to the official within DCHA who coordinates and supervises DCHA's activities undertaken to comply with the provisions of this plan.
- G. **"Language access services"** entail assessing the need for assistance in a language other than English and offering interpretation and/or translation to facilitate communication.
- H. **"Language Identification Guide" or "Language Identification Sign"** is a tool that helps identify a customer's primary language. The Language Access Coordinator supplies this tool to members.
- I. **"Language threshold"** denotes DCHA's exposure to a non-English language spoken by a

limited or non-English proficient population that constitutes 3% of the agency's customers or 500 individuals, whichever is less. Once DCHA reaches the threshold for a language, the agency must provide translations of vital documents in that language.

- J. **"Limited English proficient (LEP)"** describes an individual who does not use English as a primary language and who has a limited ability to speak, read, write, or understand English.
- K. **"Members"** are all agency employees, as well as volunteers, grantees, contractors, and affiliates providing direct services to the public on behalf of DCHA.
- L. **"Non-English proficient (NEP)"** describes an individual who does not speak, read, write, or understand English.
- M. **"Primary language"** indicates the language that a customer is most comfortable using. It is usually (but not always) the person's first or native language.
- N. **"Staff language facilitator"** is a DCHA employee who is bilingual and who agreed to act as an interpreter for the LEP/NEP population whose primary language they speak. Staff language facilitators serve as interpreters in addition to the duties of their job position.
- O. **"Translation"** is the conversion of written wording from one language (the source language) into an equivalent wording in another language (the target language). Although the public and media often use the term interchangeably with "interpretation," the word "translation" refers to written texts and "interpretation" refers to oral speech. There are two forms of translation:
 - (1) Written translation is the conversion of written text from the source language into written text in the target language.
 - (2) Sight translation is the oral rendering of a written text from the source into the target language; it is not normally a direct word-for-word translation.
- P. **"Vital documents"** include the applications, notices, forms, agreements, and outreach materials that DCHA publishes or distributes to inform customers about their rights or eligibility requirements for participation in agency programs.

V. PROCESSES

A. Data collection

DCHA will collect data on the demand for agency services in non-English languages. This data collection serves two purposes:

- (1) To determine whether DCHA has reached the language threshold for a given non-English language, establishing the language(s) into which the agency must translate

its vital documents; and

- (2) To record the customer's primary language in DCHA's files, ensuring that further interactions with previously identified LEP/NEP customers include appropriate language accommodations.

Accordingly, members will document all agency encounters with LEP/NEP customers. The Language Access Coordinator will report the resulting data to the D.C. Office of Human Rights on a quarterly basis. At the end of each fiscal year, the Language Access Coordinator will submit an implementation report identifying the non-English languages that meet the agency's language threshold, as well as the resources available to the LEP/NEP populations who speak these languages.

B. Signage

Members will ensure that all DCHA facilities that are open to the public – including mobile locations – feature visible signage informing customers of their rights to obtain assistance in a language they can understand, free of charge. Signage must include information in all non-English languages that meet the agency's language threshold. To inform the public of language access services, DCHA's facilities will feature the following signs and posters:

- (1) Desktop Language ID Guides
- (2) Language Access posters/signs at DCHA's Headquarters and public housing properties.

C. Translation

DCHA will provide written translations of vital documents into all non-English languages that meet the agency's language threshold. These documents include but are not limited to applications, notices, complaint forms, outreach materials, and other documents regarding customer rights or program eligibility requirements. Translations of vital documents must be as accessible to the public as the English versions are. To this end, members will distribute the translations within DCHA, make them accessible at the entry points of agency facilities, and post them online.

D. Interpretation

Members will establish and maintain full and effective communication with customers of all English proficiency levels. To this end, members will offer interpretation services either over the phone or in person in the primary languages of all customers identified as LEP/NEP. In so doing, members will:

- (1) Avoid assumptions about a customer's primary language and make every effort to ascertain it (for example, some Central Americans use an indigenous dialect as their

primary language rather than Spanish);

- (2) Provide interpretation whenever requested by a customer, regardless of the customer's perceived level of English proficiency;
- (3) Neither discourage LEP/NEP customers from seeking services at DCHA, nor refuse services to such customers;
- (4) Deliver services in a timely manner, i.e., without delays that are significantly greater than those that English proficient customers experience;
- (5) Exclusively use professional and qualified interpreters to interpret for LEP/NEP persons, and **not** family, friends, neighbors, volunteers, bystanders, or children;
- (6) Provide interpretation for LEP/NEP customers attending DCHA's public meetings if the agency receives notice of their presence at least five (5) business days in advance of the public meeting; and
- (7) Make interpretation services available to LEP/NEP customers who participate directly in DCHA's administrative hearings, whether or not the customer is accompanied by an advocate or attorney.

E. Waiver of language access rights

LEP/NEP customers may insist on using a family member or friend as their interpreter, or may otherwise refuse DCHA's language access services. In such cases, DCHA will obtain written consent that waives the customer's rights to translation and interpretation services. To do so, agency members will provide customers with a waiver form in their primary language, which the Office of Human Rights supplies. If a written translation is not available in the customer's primary language or if the customer is unable to read, DCHA may use sight translation to convey the contents of the waiver form to the customer.

F. Bilingual staff

The Language Access Coordinator will maintain a list of bilingual staff members who agree to act as interpreters for the LEP/NEP population whose primary language they speak (where applicable). Staff language facilitators must be able to:

- (1) Communicate fluently and accurately in the non-English language(s) in which they claim proficiency;
- (2) Interpret exact concepts without distorting meaning in either language; and
- (3) Understand the obligations of confidentiality as appropriate.

DCHA shall take reasonable steps to screen self-identified bilingual staff members who

request to be placed on a list of staff language facilitators.

G. Language access training

All DCHA members in public contact positions will be proficient in the requirements and legal obligations for serving LEP/NEP customers. To this end, members will attend either web-based or in-person trainings provided by DCHA or the D.C. Office of Human Rights.

Training will occur as part of the onboarding process for new members, and as part of continued professional development for existing members.

H. Outreach

DCHA will develop a plan for conducting outreach to LEP/NEP communities in order to disseminate information about its language access services. Outreach activities may include, but are not limited to, the following:

- (1) Conducting public meetings;
- (2) Organizing events such as fairs, forums, and educational workshops;
- (3) Partnering with community-based organizations for the implementation of projects and/or delivery of services;
- (4) Distributing flyers, brochures, and other printed material in diverse languages and at diverse locations;
- (5) Disseminating information through the agency's websites;
- (6) Implementing a topic-specific campaign to raise awareness of a particular service or project in an LEP/NEP community;
- (7) Inviting LEP/NEP community members to visit agency service site(s) and facilities;
- (8) Organizing regular needs assessment meetings with LEP/NEP community-based organizations

I. Funded entities and contractors

Funded entities, or contractors hired by DCHA to carry out services, programs, or activities directly to the public are required to a) collect data regarding contact with LEP/NEP customers and report this data to DCHA on a quarterly basis, b) provide oral interpretation services, c) translate vital documents, d) train personnel on all compliance requirements according to the same standards required of DCHA, e) by agreement, certify in writing that

Language Access Act of 2004 compliance requirements will be satisfied by contractors, and f) display signage in multiple languages.

J. Language access complaints

Any person or organization may file a public complaint alleging a violation of the Language Access Act. The D.C. Office of Human Rights addresses these complaints, which may regard both individual and systemic noncompliance. A customer may file the complaint directly, but a person or organization with an interest in the customer's welfare may also file a complaint on the customer's behalf. Members shall in no way retaliate against complainants and/or their representatives, and will provide these persons or organizations with the same level of service that other customers receive.

Should a customer wishing to file a language access complaint contact DCHA, members will report the incident to the Language Access Coordinator, and provide the customer with the following resources:

- (1) The Office of Human Rights Language Access Complaint Form;
- (2) The URL for the online Office of Human Rights Language Access Complaint Form (<http://ohr.dc.gov/webform/language-access-public-complaint-form>); and/or
- (3) The Office of Human Rights phone number (**202-727-4559**).

K. Resources

Members will have the following resources available to better serve LEP/NEP customers: digital and hard-copy translations of vital documents; access to contracted in-person and telephonic interpreters, as well as to the list of DCHA bilingual staff language facilitators (if any); materials from the Office of Human Rights, such as "I Speak" Cards and Language ID Guides; and training.

VI. PROCEDURES

A. Identifying LEP/NEP persons

Members must keep in mind the fact that LEP/NEP designations are context-specific; LEP/NEP persons may possess sufficient English language skills to function in certain types of communication (e.g., speaking or listening), but still be LEP/NEP for other purposes (e.g., reading or writing). When members suspect or are told that customers they encounter are LEP/NEP, they will use the following protocol to determine whether or not the customers are actually LEP/NEP:

1. Ask: "Do you speak English very well?"
 - a. If the person answers "Yes," continue communicating with the person in English.

Individuals who speak any non-English language and also report speaking English “very well” should be regarded as English proficient and should not be considered LEP/NEP persons.

- b. If the person answers “No,” appears not to understand what the member is saying, otherwise indicates a lack of comprehension, or states “I speak it a little” or “I speak it okay,” the member may assume that the person is LEP/NEP and attempt to identify the primary language following the procedures described in part IV.B of this plan. Individuals who report speaking English as anything less than “very well” (i.e., “well,” “not well,” or “not at all”) will be regarded as LEP/NEP and eligible to receive language access services.
2. If the LEP/NEP person can speak or understand some English, the member will state: “I can request an interpreter in your language to interpret for you in person or over the phone. Would you like me to get an interpreter?”
- a. If the LEP/NEP person answers “Yes,” the member will:
 - 1) Proceed to identify the LEP/NEP person’s primary language as specified in Part VI.B below; and
 - 2) Obtain an interpreter to facilitate communication with the LEP/NEP person.
 - b. If the LEP/NEP person answers “No,” the member will:
 - 1) Ensure that the LEP/NEP person understood the question and confirm that the customer does not want an interpreter.
 - 2) If the LEP/NEP person confirms that an interpreter is not wanted, the member shall proceed with communicating in English.

B. Identifying the primary language

Members will attempt to identify an LEP/NEP customer’s primary language using the following three approaches:

1. Ask the LEP/NEP person and check for an “I Speak” Card.

Members may ask an LEP/NEP person: “What language do you speak?” or “What language do you speak the best?” If the LEP/NEP person understands and answers the question, and/or displays an “I Speak” Card, the member will immediately follow the procedures in part VI.C.2 of this plan to obtain an interpreter for the primary language.

2. Use the Language ID Guide/Sign.

The Office of Human Rights provides a guide for identifying a customer’s primary language. Members obtain this guide from the Language Access Coordinator, and will

display it to LEP/NEP customers who are unable to identify their primary language in response to a member's questions. If the customer successfully identifies a language using the guide, members should follow procedures in part VI.C.2 of this plan to obtain an interpreter for this language.

3. Contact interpretation service provider.

If LEP/NEP customers do not appear able to read or understand the Language ID Guide or are otherwise unable to identify their primary language, members will contact DCHA's interpretation service provider by following the procedure outlined in part VI.C.2.b below. With assistance from the service provider, members will attempt to ascertain the LEP/NEP customer's language in order to obtain a suitable interpreter.

C. Obtaining an interpreter

Whenever a DCHA member contacts or is contacted by an LEP/NEP customer by telephone or in person, the member will:

- 1.** Ascertain the LEP/NEP customer's English proficiency and primary language as described in parts VI.A and VI.B above, respectively.
- 2.** Request an interpreter.
 - a.** Request an interpreter from DCHA's Interpretation Services Provider by calling the number provided or through the application and providing DCHA's Client ID, Organization Name, and Access Code. For more information, see **Attachment I**.
 - b.** For in-person meetings, Members may request an in-person interpreter before the scheduled appointment.
 - To request an in-person interpreter, Members will submit a complete request to the Language Access Coordinator at least three (3) business days before the scheduled appointment.
 - Requests may be submitted at www.dchousing.org/language
 - Requests may include the following information: customer's name, date and time of the appointment, location of the appointment, topic and purpose of the appointment, duration of the appointment, and what language is needed.

D. Collecting data

DCHA will use the following mechanisms to collect data:

- 1.** Service provider Reports and Invoices;
- 2.** Reception area or Information desk sign-in sheets that include multilingual language

preferences;

3. Flags/tags/specialized labels for LEP/NEP case files within DCHA's record management system (e.g., Voyager);
4. Requests for translation services submitted via DCHA's website;
5. Reports from bilingual staff on the number of times they are asked to assist an LEP/NEP individual; and
6. Tally of customers who use interpretation equipment at outreach events.

E. Translating vital documents

1. The Language Access Coordinator will identify and maintain a record of all vital document translations.
2. If a vital document translation is not available on the agency Internet or Intranet websites, members will request a translation of that document at www.dchousing.org/language. The request should include: the document(s), target language for translation, and date needed.
3. Should LEP/NEP persons require a vital document that has not been translated into their primary language, members will follow the procedures outlined in part VI.C.2.b to contact ACSI or DCHA's Translation and Interpretation Contractor. Members will request a sight translation by reading the document to the interpreter.
4. Multilingual Taglines may be utilized for documents that have not yet been translated.

F. Written communication

1. If a member receives a letter or other written communication in a non-English language, and the member is not bilingual in that language, the written communication will be promptly submitted at www.dchousing.org/language.
2. The Language Access Coordinator, or his/her designee, will provide the member with an acknowledgement letter in the sender's language, and arrange to have the original correspondence translated into English.
3. The member will send the acknowledgement letter to the sender.
4. Once the written communication is translated into English, the Language Access Coordinator, or his/her designee, will forward the English version of the communication to the intended agency recipient for response.

5. The member responsible for writing the response will do so and then forward the response to the Language Access Team.
6. The Language Access Coordinator, or his/her designee, will arrange to have the response translated into the target language and return the translated response to the member.
7. The member will mail or email, as appropriate, the response to the sender.

G. Funded entities and contractors

DCHA will use the following procedures to ensure that funded entities and contractors hired by the agency to provide services directly to the public comply with the requirements of the Act, according to the same standards required of the agency.

1. Include language access compliance requirements for funded entities and contractors in all Notices of Funding Availability (NOFA) and Requests for Proposal (RFP) for direct public services issued by DCHA.
2. Ensure that all funded entities and contractors certify in writing that they will meet language access compliance requirements in contracts, memorandums of understanding, or work agreements signed between funded entity/contractor and DCHA.
3. Ensure that funded entities and contractors that provide services directly to the public receive language access compliance training through OHR, or using training material approved by OHR.
4. Provide guidance on language access compliance to funded entities and contractors that provide services directly to the public by connecting them to translation and interpretation vendors, and by providing them with a clear process for collecting data and for reporting all encounters with LEP/NEP customers to DCHA.

VII. ROLES AND RESPONSIBILITIES

A. Executive Director

1. Establish (or designate a member or team to establish) procedures for:
 - a. Providing interpretation over the phone and in person;
 - b. Engaging in written communication with LEP/NEP customers;
 - c. Translating vital documents; and
 - d. Collecting data on LEP/NEP encounters.

2. Appoint a Language Access Team responsible for overseeing the agency’s compliance with the Language Access Act of 2004.

B. Language Access Coordinator

1. Ensure DCHA’s compliance with the Language Access Act of 2004 and corresponding guidelines and regulations.
2. Submit a yearly implementation report that details how determination of language threshold languages was made to the Language Access Director at the Office of Human Rights.
3. Provide guidance, advice, resources, and training to DCHA members regarding the language access services.
4. Identify and screen bilingual staff members to serve as agency interpreters.
5. Identify and maintain a record of DCHA’s vital documents.
6. Track, monitor, and investigate public complaints regarding alleged language access violations at DCHA.
7. Offer guidance on corrective measures for conduct contrary to this plan.
8. Language Access Coordinator (“LAC”) shall establish and be responsible for ensuring implementation of the agency’s Biennial Language Access Plan (“BLAP”).

- C. Language Access Team** Assist the LAC with data collection, annual reporting, customer complaints, training of personnel in public contact positions, and other elements of compliance.

VIII. APPROVAL

This plan is effective as of March 14, 2023.

Cheryl Robinson

3/14/2023

Cheryl Robinson
Language Access Coordinator

Date