

OFFICE OF THE MANAGING DIRECTOR

ISSUED: December 3, 2007

MANAGING DIRECTOR'S DIRECTIVE NO. 62

LANGUAGE ACCESS POLICY AND PLAN FOR CITY OPERATING DEPARTMENTS

1 I. PURPOSE AND AUTHORITY

2 Reflecting broad demographic changes, the City of Philadelphia ("City") is growing more
3 diverse. Increasing numbers of those who live, work or spend time in the City are not
4 proficient in English. The City must be capable of delivering services to all residents
5 regardless of their English language ability in order to discharge municipal functions
6 effectively. Whether seeking to protect public health and safety, responding to
7 emergencies or collecting revenues, poor communications between city employees and
8 limited English proficient (LEP) residents will undermine the quality of services
9 rendered. The ability to deliver services in different languages also makes the city a more
10 hospitable location for newcomers to settle, promotes the development of small
11 businesses and facilitates sound emergency management planning.

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13 In addition, the City is obligated by legal mandates to ensure that LEP residents are
14 afforded meaningful access to city services that receive federal financial support, directly
15 or indirectly. Those mandates arise under Title VI of the Civil Rights Act of 1964 and
16 the provisions of the Mayor's Executive Order of September 29, 2001.

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18 In order to enhance the effectiveness of municipal services, provide equal access, support
19 economic growth and comply with civil rights mandates, the Managing Director's Office
20 ("MDO") issues this policy on providing services to LEP persons for all City operating
21 departments and recommends the development of Language Access Policies and Plans
22 for City departments outside the purview of the MDO.

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24 This Policy and Plan, and related plans, policies, and protocols developed and
25 implemented by various City departments and agencies, shall not be construed to grant
26 rights to members of the public.
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28 II. GENERAL POLICY

29 A. It is the City's policy to grant access to services or programs to every person
30 irrespective of any limitations on that person's ability to speak, understand, read or write
31 English. In furtherance of this policy, the City intends to take reasonable steps to provide
32 LEP persons with meaningful access to services and programs that is not unreasonably
33 restricted, inferior or substantially delayed as compared to others. The City seeks to

34 reduce language barriers by increasing its capacity to deliver services and benefits to
35 people in their primary language.

36 B. It is the policy of the City that it is the responsibility of the City, rather than the LEP
37 individual seeking service, to ensure that language barriers are surmounted. The City
38 will take reasonable steps to effectively inform the public, including groups of LEP
39 individuals, of the availability of language accessible services.

40 C. Each department shall develop a language access plan and shall devise and implement
41 written policies and protocols for providing services to LEP persons that are consistent
42 with this policy. All departmental plans, policies and protocols should be written or
43 updated no later than 90 days from the issuance of this policy.

44 D. Departments that provide services in part through subcontracts or grants shall
45 establish and enforce language access policies applicable to services provided by
46 subcontractors and grantees to ensure compliance with departmental policy.

47 **III. DEPARTMENTAL PLANS AND POLICIES**

48 A. Approach. Sustained effort will be required to make the services provided by each
49 City department accessible to LEP persons. Each department reporting to the Managing
50 Director must, with oversight from the Managing Director's Office, develop a written
51 plan, policy and protocols based on and appropriate to its own operations which comply
52 with this MDO policy, the advice of the Law Department and any Guidance published by
53 federal department(s) that provide financial assistance to the City department.

54 1. Plan. The plan is an administrative blueprint for bringing a department into
55 compliance with language access requirements. The plan outlines the tasks to be
56 completed, sets deadlines, designates responsible personnel, and establishes
57 priorities.

58 2. Policy. The policy includes the operating principles and guidelines that will
59 govern the delivery of language appropriate municipal services and includes
60 expectations for how the department and its staff will function.

61 3. Protocols. Protocols are detailed explanations that specify the steps to be
62 followed to access language services, gather data, and deliver services to individual
63 customers.

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65 Although the plan, policy and protocols need not be separate documents, each of the
66 elements must be included.

67 B. Plan. Each department shall formulate or update a language access plan.

68 1. Language access coordinator. One or more senior staff shall be designated by
69 each Commissioner to be responsible for the language access planning and
70 implementation. The coordinator shall report directly to the commissioner [or
71 deputy commissioner] or his designee and shall be provided with appropriate time

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and support to carry out these duties. Each commissioner shall remain responsible to MDO and the Mayor for complying with this policy. Appendix A includes a overview of the position and the major responsibilities.

2. Blueprint. Each plan shall outline the tasks to be completed, set prioritized deadlines, and assign resources, including the following items:

a) Needs assessment. Each department shall conduct a needs assessment that includes the following minimal actions:

(1) Identify and characterize the nature and importance of the various services and programs provided by the department in order to help determine priorities for upgrading services.

(2) Gather data on the language makeup of the population that is eligible to be served by the department, as well as language data on those who are actually being served. Staff should consider whether the data suggests that any particular language groups are being served disproportionately to their population. Each department should develop an understanding of the proportion of the service population that is LEP, the frequency with which the department provides services to LEP persons and the languages most frequently encountered.

(3) Identify all points of contact between the public and the department and all potential language or language related barriers to service, including the location of offices and modes of providing service. This process should also identify departmental operations that will not encounter LEP members of the public.

b) Resources assessment. Each department must also determine what language resources are available to it to deliver services to LEP customers.

(1) Identify existing bilingual staff who are competent to deliver services directly in a second language, or to serve as interpreters for other employees and consider what changes are needed to involve bilingual staff in serving LEP customers.

(2) Become familiar with the language services available under existing City contracts for in-person interpreting, telephone interpreting and translation. Consider what steps are required to make these language services available for staff use, including needs for equipment and training.

c) Language services protocols

(1) To supplement in-house language skills, the department must determine where language services are needed to assist the public

110 and ensure that resources are identified to provide interpreting and
111 translating as needed.

112 (2) Specific protocols must be devised to instruct staff on how and
113 when to procure language services. Language services should be
114 provided upon request or whenever deemed appropriate by staff.

115 (3) Protocols should be designed for ease of use and with minimal
116 approval or documentation required.

117 d) Document translation. A system must be established to review all
118 forms, letters, documents and website content used by the department to
119 determine which are vital to providing meaningful access to LEP persons
120 and plans made to translate the documents into languages regularly
121 encountered.

122 e) Policy. Each plan must provide for development of a written language
123 access policy.

124 3. Stakeholder consultations. The language access coordinator should consult
125 with stakeholders in devising the plan, policy and protocols. In addition to MDO
126 staff, this includes, but is not limited to, language service providers, staff in various
127 units, community advocates and community organizations.

128 4. Training. The department must devise and implement a plan for ongoing,
129 regular training that ensures that staff are aware of the contents of the plan and
130 protocols and that newly hired staff are provided language access training. The
131 plan must include provisions for training bilingual staff interpreters in how to
132 interpret, and for monolingual staff on how to work with an interpreter.

133 5. Data.

134 a) Review what systems are available or are needed to allow the
135 department to accurately record and monitor data on the language needs of
136 people who receive service and whether changes are needed to data
137 systems to ensure that language services are provided in subsequent
138 contacts. Language data will also be needed to inform ongoing needs
139 assessments and priority setting by language.

140 b) Administrative procedures must be in place and staff assigned to
141 gather and analyze language data periodically in order to quantify needs,
142 measure changes over time and set priorities.

143 6. Notice. The plan must address the need to inform the public of the availability
144 of language services and how to access them through public advertising,
145 community outreach, posted notices in public service areas, tag lines on department
146 documents, the department's content on the City's website, telephone answering

147 systems and other media systems. The plan, policy and protocols should be made
148 available to the public as well.

149 7. Monitoring. The plan should provide for a system to periodically monitor
150 department compliance with policy and protocols, gather language specific data on
151 persons served, the use of language services, and the need for changes in the policy
152 and protocols. The plan should include a method to periodically report to and
153 gather input from stakeholders and a procedure to receive and respond to
154 complaints regarding language services. A system must be set up to similarly
155 ensure that contractors or grantees of the department comply with the policy. The
156 plan should further provide for periodic reporting of monitoring information and
157 analysis to MDO.

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159 8. Performance Measures. The plan should include a method for developing
160 performance measures appropriate to the department Language Access Plan and
161 Policy and department operations. The plan should provide for a system of
162 measuring performance against these measures which may include the periodic
163 surveying of LEP customers and evaluation of services provided.
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165 C. Mandatory Policy Elements. Each departmental policy must at a minimum address
166 the following issues, in addition to those set forth in the preceding section:

167 1. Responsibility. The department, rather than the LEP customer, bears the
168 responsibility for the reasonable provision of language appropriate services. Staff
169 at the initial point of contact have the specific duty to assess and record language
170 needs.

171 2. Bilingual staff

172 a) Hiring. Departments with significant customer service functions
173 should plan to develop in house language capacity through regular hiring
174 of employees with specific language skills, should designate job openings
175 appropriately and notify the Personnel Department of hiring needs for
176 bilingual staff.

177 b) Staff interpreters. Competent and trained bilingual staff can also
178 function as interpreters for other staff, when needs and staffing permit.

179 c) Language sensitive assignments. Subject to any mandatory legal
180 constraints, Department staff should consider the options available to
181 organize, assign or configure employees in order to best serve the
182 language needs of the persons served by the department without imposing
183 unfair burdens on bilingual staff.

184 3. Language Data. Each department must consider the means by which to
185 effectively gather and analyze data on the language needs of those who use the

186 department's services. Departments that maintain records specific to individuals,
187 particularly those that provide ongoing services to individuals, should develop the
188 means to identify and record the primary language of the customer, tabulate
189 language data, and mark files with language information so that language
190 appropriate services can be provided as a matter of course in future contacts.

191 4. Language services. Services should be provided in a specific order of
192 preference:

193 a) The preferred method of serving LEP customers is by using competent
194 bilingual staff able to provide services directly to the customer in his/her
195 primary language without the need for an interpreter.

196 b) Available, trained, competent bilingual staff may be used for in-person
197 or telephone interpreting to support monolingual service staff.

198 c) Staff should seek assistance from professional in-person or telephone
199 interpreters when staff cannot meet language needs. Departments should
200 recognize that certain circumstances may require specialized interpretation
201 and translation services even when staff with bilingual abilities are
202 available.

203 d) Use of informal interpreters such as family, friends of the person
204 seeking service, or other customers must be actively discouraged, with
205 minor children generally prohibited from acting as interpreters. Use of
206 volunteer interpreters from community organizations should be
207 discouraged. The policy should permit the use of inappropriate
208 interpreters: at the insistence of the customer subject to controls such as
209 documentation or approval of a supervisor; and in emergencies subject to
210 documentation requirements and review.

211 e) Telephone interpreters (including staff interpreters) should be
212 generally used for interpreting customer telephone contacts. The use of
213 telephone interpreters for in-person contacts should be restricted according
214 to policy provisions that take into account the relative cost of in-person
215 and outside telephone interpreters, the amount of time expected for the
216 service contact, the nature of the service, the increased difficulty of
217 interpreting by telephone, and the time needed to procure in-person
218 interpreters.

219 f) Staff must be authorized to procure language services when deemed
220 necessary to provide service even when such assistance is not requested or
221 desired by the customer.

222 g) No staff may suggest or require that an LEP customer provide an
223 interpreter in order to receive services.

224 5. Translation. All forms, letters, documents and website content in use by the

225 department should be reviewed to determine their importance in providing services
226 to LEP customers.

227 a) Documents that are vital to provide customer access should be
228 translated into those languages regularly encountered. At a minimum, it
229 shall be City policy to translate such documents into the languages
230 comprising 5% or 1,000 persons, whichever is less, of those actually or
231 potentially served by the department.

232 b) It shall be City policy to include a multilingual tag line in all vital
233 documents in English, in order to notify readers that the City will:

234 (1) Provide a version translated into the appropriate language upon
235 request; or

236 (2) Provide sight translation to the customer, which is the process
237 of providing a spoken translation of a document in the LEP
238 individual's first language, as opposed to providing a written
239 translation.

240 c) Website content should be periodically reviewed and modified so that
241 matters of importance to LEP populations are translated or presented via
242 audio or video media produced in other languages and second language
243 content is kept up to date. Websites and their content should nonetheless
244 include appropriate disclaimers developed in consultation with the Law
245 Department.

246 d) A system shall be devised providing for the review of new translation
247 needs either on an annual or an ongoing basis, i.e., whenever new forms,
248 documents, letters, website content or other written materials are issued in
249 English.

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251 **IV. MDO Plan and Policy**

252 **A.** MDO shall adopt a language access plan, policy and protocols for its operations,
253 consistent with the provisions set forth in Section III.

254 1. The Managing Director shall appoint a senior staffer as the Language Access
255 Project Manager to be responsible for coordination, support and oversight of all
256 language access activities within MDO and the operating departments supervised
257 by MDO. The Project Manager shall report directly to the Managing Director.

258 **B.** MDO shall gather reports from each operating department and other appropriate
259 information in order to ensure that each is in compliance with this policy. For example,
260 MDO will review hiring data for each department and encourage departmental efforts to
261 hire bilingual staff.

262 C. Outreach. MDO shall engage in an ongoing effort to inform both the general public
263 and limited English proficient population groups of the Global Philadelphia initiative, the
264 language access policies and plans of MDO and the City's operating departments, the
265 availability of language services, and the City's interest in hiring bilingual staff.

266 D. MDO will engage in ongoing consultations with advocates and community based
267 organizations regarding implementation of this policy by MDO and the operating
268 departments, areas of concern, changing needs and complaints.

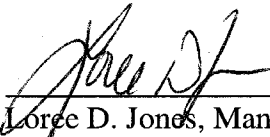
269 **V. MDO Coordination and Assistance**

270 In addition to providing oversight and guidance in the development of departmental
271 plans, policy and protocols, MDO shall also provide the following assistance:

272 A. Best Practices. MDO shall convene regular meetings of language access coordinators
273 to facilitate development and sharing of best practices.

274 B. Contracted Services. MDO will centrally procure and coordinate monitoring of
275 contracted language services for in-person interpreting, telephone interpreting and
276 translation and assure that the providers or other entities make training available to
277 department staff.

278 C. Staff Interpreters. MDO will provide coordination as appropriate to facilitate the use
279 of trained staff interpreters on an inter-departmental basis.

Approved: 
Loretta D. Jones, Managing Director

Date: 12/03/07



GLOBAL PHILADELPHIA

Global Philadelphia Ambassador Role Overview and Responsibilities

Overview

Reflecting broad demographic changes, the City of Philadelphia is growing more diverse. Increasing numbers of those who live, work or spend time in the City are not proficient in English. The City must be capable of delivering services to all residents regardless of their English language ability in order to discharge municipal functions effectively. Whether seeking to protect public health and safety, responding to emergencies or collecting revenues, poor communications between City employees and limited English proficient (LEP) residents will undermine the quality of services rendered. The ability to deliver services in different languages also makes the city a more hospitable location for newcomers to settle, promotes the development of small businesses and facilitates sound emergency management planning.

In addition, the City is obligated by legal mandates to ensure that LEP residents are afforded meaningful access to City services that receive federal financial support, directly or indirectly. Those mandates arise under Title VI of the Civil Rights Act of 1964 and the provisions of the Mayor's Executive Order of September 29, 2001.

As such, in March 2004, the Managing Director's Office (MDO) launched the Global Philadelphia initiative to ensure that all City operating departments developed and implemented language access policies, plans and protocols. As well, on December 3, 2007 the MDO issued Directive 62, a comprehensive language access policy for all operating departments to further compel all operating departments to finalize and implement said policies.

In order to carry out this work and serve as a centralized point person for each operating department, the MDO mandated that each operating department designate one or more Language Access Coordinators, referred to as "Global Philadelphia Ambassadors", at the senior staff level or above, to serve as a liaison to the MDO, department personnel, and community in all matters related to the department's provision of language access services. In this role, they must be granted the time to fulfill their responsibilities as an Ambassador.

The following document details the roles and responsibilities of the Global Philadelphia Ambassador position.

Role

To serve as a liaison to the MDO Language Access Project Manager, department personnel, and community in all matters related to the department's provision of language access services.

Major Responsibilities

Policy Planning and Implementation

- Work with their department to develop a comprehensive language access policy, which includes plans and protocols to carry out said policy, as detailed by MDO Directive 62.
- Consult with stakeholders in devising department language access plans, policies and protocols. In addition to MDO staff, this includes, but is not limited to, language service providers, staff in various units, community advocates and community organizations.

Monitoring

- Collect, track and report language specific data on persons served, the use of language services, and the need for changes in the policy and protocols.
- Develop system to ensure that contractors or grantees of the department comply with the department's language access policy.
- Provide periodic reports of monitoring information and analysis to MDO.
- Attend a quarterly MDO meeting with other department Global Philadelphia Ambassadors to discuss issues related to language access services within their department.

Training

- Organize regular, on-going training of department staff to ensure they are aware of the contents of the department's language access plan and protocols and that newly hired staff are provided language access training.

Outreach

- Work with the department to develop means of notifying the public of the availability of language services within the department and how to access them. This may include such means as: public advertising, community outreach, posted notices in public service areas, tag lines on department documents, the department's content on the City's website, telephone answering systems and other media systems.
- Develop a method to periodically report to and gather input from stakeholders and a procedure to receive and respond to complaints regarding language services.

Provision of Services

- Become familiar with the language access service contracts available through the MDO and serve as central point of contact to vendors in the request and provision of these services within the department.