

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES**



POLICY	
Department on Disability Services	Subject: DDS's Language Access Policy
Responsible Program or Office: Office of the Director	Policy Number: 2013-DDS-POL002
Date of Approval by the Director: March 27, 2013	Number of Pages: 3
Effective Date: April 1, 2013	Expiration Date, if Any: N/A
Supersedes Policy (Dated): N/A	
Cross References, Related Policies and Procedures, and Related Documents: DDS's Language Access Procedure	

1. PURPOSE

The purpose of this policy is to ensure that the Department on Disability Services (“DDS”) provides equal access and participation in services, programs, and activities for people who are applying for or using DDS services who have limited or non-English proficiency.

2. APPLICABILITY

The policy applies agency-wide to all full-time employees, as well as contract and part-time employees, etc.

3. AUTHORITY

The authority and functions of the Department on Disability Services (“DDS”) are set forth in D.C. Law 16-264, the “Department on Disability Services Establishment Act of 2006,” effective March 14, 2007 (D.C. Official Code § 7-761.01 *et seq.*), and D.C. Official Code § 7-761.07(c)-(d), and vested the DDS Director with legal authority to issue this policy.

4. POLICY

It is DDS's policy to ensure that all people receiving services and supports through DDS's service delivery system or that participate in any DDS sponsored event, have access to and receive language access services that are specific to their individual language needs. This includes written translations, oral interpretation, and/or assistance through the Language Line.

5. RESPONSIBILITY

The responsibility for this policy is vested in the DDS Director.

6. STANDARDS

- A. DDS shall comply with the District of Columbia's Language Access Act of 2004, (D.C. Law 15-167; D.C. Code § 2-1931 *et seq.*) and all corresponding guidelines and regulations.
- B. DDS shall:
 1. Provide oral language services to people with limited or no-English proficiency who seek to access or participate in the services, programs, or activities offered by DDS.
 2. Collect data about the languages spoken and the number or proportion of limited or non-English proficient persons speaking a given language in the population that is served or encountered, or likely to be served or encountered, by DDS.
 3. Coordinate and facilitate the translation of vital documents in any non-English language spoken by a limited or non-English proficient populations that constitutes 3% or 500 individuals, whichever is less, of the people served or encountered, or likely to be served or encountered by DDS.
 4. Develop and maintain a two-year language access plan pursuant to regulation and in accordance with the following guidelines:
 - a. Established in consultation with the DC Office of Human Rights ("OHR")
 - b. Reviewed and updated biannually.
 - c. Sets forth the type of oral language services that DDS will provide.
 - d. Sets forth the titles of translated documents that DDS will provide.
 - e. Sets forth the rationale and data for translating any documents.
 - f. Sets forth the number of public contact positions within DDS.
 - g. Sets forth the number of bilingual employees in public contact positions and/or within DDS.
 - h. Evaluates and assesses the adequacy of language access services DDS provides.

5. Appoint a Language Access Program Coordinator or Coordinators responsible for oversight of the agency's language access plan.

Laura L. Nuss

Laura L. Nuss, Director

3/27/2013

Date

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES**



PROCEDURE	
Subject: DDS's Language Access Procedure	Procedure No.: 2013-DDS-PR003
Responsible Program or Office: Office of the Director	Effective Date: April 1, 2013
	Number of Pages: 4
Cross References, Related Policies and Procedures, and Related Documents: DDS's Language Access Policy	

1. PURPOSE

The purpose of this procedure is to establish the operations that govern the Department on Disability Services ("DDS") Language Access Program to ensure that DDS provides equal access and participation in services, programs, and activities for people who are applying for or using DDS service who have limited or non-English proficiency; to identify the roles and responsibilities of DDS, managers and supervisors, employees, and the Language Access Program Coordinator.

2. APPLICABILITY

The procedures apply to all DDS full-time employees, contract employees, and part-time employees.

3. DEFINITIONS

- A. **Access or Participate** - means to be informed of, participate in, and benefit from public services, programs, and activities offered by DDS at a level equal to a person who is English proficient.
- B. **Language Access Coordinator (LAC)** - means the official within DDS who coordinates and supervises the activities of DDS's departments and programs undertaken to comply with the provisions of this policy.
- C. **Limited English Proficient (LEP)** - refers to a person who does not speak English as his/her primary language and who has a limited ability to speak, read, write or understand English.

- D. **Non-English Proficient (NEP)** - refers to a person who cannot speak or understand the English language at any level.
- E. **Oral Language Services** - means the provision of oral information necessary to enable people who are applying for or using DDS who have limited or non-English proficiency to access or participate in programs or services offered by DDS. The term “oral language services” shall include but is not limited to placement of bilingual staff in public contact positions; the provision of experienced and trained interpreters; contracting with telephone interpreter programs; contracting with private interpreter services; and using interpreters made available through community service organization that are publicly funded for that purpose.
- F. **Translation** - means the written conversion of text in a source language into text written into a target language that retains the meaning and intent of the source text and produces a culturally competent product.
- G. **Interpretation** - means oral or verbal conversion of the meaning of a dialogue from one language to another.
- H. **Vital Documents** - means applications, notices, forms, agreements, and outreach materials published or distributed by DDS that informs people about their rights or eligibility requirements for participation in DDS’s programs.
- I. **Language Access Program Services** – this includes but is not limited to: translations of vital documents; in-person oral interpretation/translation; commercial interpretation/translations (Language Line); and outreach activities.

4. PROCEDURES

A. Division/Department Manager/Supervisor’s Responsibilities

All DDS managers and supervisors shall:

1. Provide support and assistance in carrying out the provisions of the agency’s Language Access Program policy as necessary.
2. Report public complaints regarding language access violations to the DDS Language Access Program Coordinator.
3. Implement Language Access Program standard operating procedures within their assigned agency division or program area.

B. Language Access Program Liaisons' Responsibilities

The DDS Language Program Liaisons shall:

1. Communicate as necessary with the DDS Language Access Coordinator regarding implementation of DDS's Language Access Plan.
2. Identify and maintain a record of the vital documents utilized by the assigned agency division or program area.
3. Identify and report all DDS events/functions which utilize interpretation services to the Language Access Program Coordinator within the Language Access Program Liaisons program area/division.
4. Ensure that people who are applying for or using DDS services who are Limited English Proficient or Non-English Proficient ("LEP/NEP") are identified in DDS's data management systems (MCIS and/or System 7) and that their preferred language is noted.
5. Maintain a record of Language Access Program resources and services utilized by people in their assigned agency division or program area.

C. Language Access Program Coordinator's Responsibilities

The DDS Language Access Program Coordinator shall:

1. Provide oversight of DDS's Language Access Program.
2. Provide guidance and advice to DDS staff and management regarding the usage of Language Access Program services.
3. Ensure that DDS is in compliance with the District of Columbia's Language Access Act of 2004 and all corresponding guidelines and regulations.
4. Track, monitor, and investigate formal or informal public complaints regarding alleged language access violations at DDS.
5. Communicate with Language Access Program Liaisons as necessary to carry out the mission of DDS's Language Access policy and procedure.
6. Recommend corrective or adverse action for conduct contrary to DDS's Language Access policy and procedure.

D. Responsibilities of all DDS Employees

1. When interacting with people who have limited or no-English proficiency, all DDS employees shall ensure that people who are applying for or using DDS services who are LEP/NEP have equal access to information and services. This means that people who are LEP/NEP must be offered the use of a translator/interpreter and receive service in the order of their arrival at DDS.
2. Employees must not discourage or refuse DDS services to people who are LEP/NEP.
3. Employees must document and maintain a record of their interaction with people who are LEP/NEP in accordance with their agency division/program area's Language Access Program standard operating procedures.
4. Employees must identify a person's LEP/NEP information to ensure that all future interactions with the person include the provision of interpretation services and translation of vital documents in accordance with the provisions in this procedure.
5. DDS employees shall adhere to the following pertaining to public complaints regarding language access violations:
 - a. Employees must report any public complaints regarding language access violations to their manager/supervisor or to the DDS Language Access Program Coordinator in a timely manner (within five (5) business days of the incident).
 - b. Employees must not discourage or refuse to provide DDS services to people who have registered a complaint regarding language access violations.
6. DDS employees shall adhere to the following as it relates to external resources:
 - a. Employees will be made aware of the Language Access Program resources provided by DDS and the DC Office of Human Rights ("OHR"). Language Access Program resources include: translation of vital documents; interpretation; translations; telephonic oral interpretation (Language Line).
 - b. Employees in a public contact position, as well as all managers/supervisors and/or Language Access Program Liaisons, as set forth by OHR will attend training as outlined in the agency's biennial Language Access Program plan.