



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES

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DDS TRANSMITTAL # 23-12

TO: All Developmental Disabilities Administration (“DDA”) Providers, Community Members, and Network Partners
FROM: Crystal Thomas, Program Manager, State Office of Policy, Planning, and Innovation
DATE: August 9, 2023
RE: Revised Language Access Policy and Procedure

Effective August 1, 2023, DDS releases its revised Language Access Policy (2023-DDS-POL001) and Language Access Procedure (2023-DDS-PRO001). The Policy and Procedure are applicable to all DDS employees, contractors and grantees that provide services and supports for people with disabilities receiving services as part of the DDS service delivery system regardless of the funding source (e.g., local funds, federal funds, or grants).

These revisions align the agency’s policy with the D.C. Office of Human Rights implementation and oversight of the D.C. Language Access Act of 2004, which provides greater access and participation in public services, programs, and activities for residents with limited or no-English proficiency (LEP/NEP). The attached policy and procedure are available online at [Language Access Policy | dds \(dc.gov\)](https://www.dds.dc.gov/language-access-policy).

The most significant change to the DDS Language Access Policy is that it previously defined in language access to include American Sign Language. DDS abides by the 1990 Americans with Disabilities Act as amended to ensure effective communication will occur with persons covered by the Act requiring means other than oral interpretation into another spoken language. Going forward, the Language Access Policy and Procedure follow the spirit of the Act it is modeled after, applying to only spoken languages.

Other significant changes include:

1. Implementation of data reporting for Providers and other DDS Contractors/Grantees on Language Encounters. “Encounter” is any instance of interacting with or contacting an LEP/NEP individual through an interpreter and/or a bilingual staff member. The following data will be requested quarterly:
 - Total # of LEP/NEP customer encounters by bilingual staff listed by the corresponding language name, i.e. Spanish 37 encounters, French 10 encounters,
 - Total # of LEP/NEP customer contacts made using telephonic interpretation services (i.e. Language Line) divided by corresponding language name, i.e. Mandarin 12 calls, Portuguese 1 call.



- Total # of LEP/NEP customer events where the Provider or other Contractor/Grantee provided a qualified spoken language interpreter, listed by the corresponding language name, i.e. Spanish 18 meetings/events, Vietnamese 1 meeting.

A data collection web page, and training on how to use it, will be released in early September for implementation October 1, 2023. The first quarterly report will be due by Jan 15, 2024 1 for quarter 1 FY24 (10-01-2023 – 12-31-2023).

2. A requirement for DDS Providers and other Contractors/Grantees to record the person's preferred language in case files and records, ensuring that further interactions include appropriate language accommodations.
3. A requirement that all facilities open to the public feature visible signage informing persons of their rights to obtain assistance in a language they can understand, free of charge. Also, where written document translations are provided, Providers and other Contractors/Grantees should make them accessible in the customer service entry points, facilities, and online.
4. A requirement that in each instance an LEP/NEP person refuse the agency's language access services, the agency must obtain consent waiving their right to translation and interpretation services.

The DDS Language Access coordinator can provide training to any staff of Providers or other Contractors/Grantees needing further guidance on working with LEP/NEP persons or with the data reporting above.

If you have any questions about this policy or procedure please contact Grace O'Neill, Language Access Coordinator, at 202-549-1710 or grace.oneill@dc.gov

Attachments:

- DDS Language Access Policy
- DDS Language Access Procedure