

ATTACHMENT A

# Language Access Policy

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*Acknowledgement*

*Language access policies from the City of Houston, Municipality of Anchorage, and the City of Cleveland, among other resources such as [www.lep.gov](http://www.lep.gov), were considered and used to develop this policy and supporting material.*

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# City of Tulsa Language Access Policy

All City of Tulsa residents and visitors, regardless of their English language proficiency, should have meaningful access to essential public information about City programs, services, activities, and other benefits. In compliance with civil rights laws, it is the City's policy to provide meaningful access to Limited English Proficient (LEP) individuals.

## 1. Definitions

For the purpose of this policy, the following terms shall have the following meaning:

- 1.1. **Babel Notice:** A short notice included in a document or electronic medium in multiple languages informing the reader that the communication contains vital information and explaining how to access language services to have the contents of the communication provided in other languages.
- 1.2. **Citywide Language Access Coordinator (Coordinator):** An individual or committee appointed by the Mayor's Office of Resilience and Equity to assist with the provision of language services to the public and provide technical assistance to all City departments in providing such services.
- 1.3. **The Citywide Language Access Committee:** A cross departmental committee that assists in the development and implementation of the language access policy.
- 1.4. **Department Language Access Liaison (Liaison):** An individual identified by the department head to ensure their department is in compliance with this policy.
- 1.5. **Interpretation:** The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the meaning.
- 1.6. **Language Access Implementation Plan:** Department specific document outlining the procedures and practices that the department will implement to provide language services to LEP individuals.
- 1.7. **Limited English Proficient (LEP):** Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still LEP for other purposes (e.g., reading or writing).
- 1.8. **LEP Service Department:** Identified by the Citywide Language Access Coordinator and Mayor's Office as a department that provides programs and services directly to the public or has regular and substantive contact with the public.
- 1.9. **LEP Service Department Employee:** An employee within the LEP Service Department who routinely has direct interaction with the public as determined by the Liaison and department head.
- 1.10. **Meaningful access:** Language assistance that results in accurate, timely, and effective communication with the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

- 1.11. **Non-LEP Service Department:** Identified by the Citywide Language Access Coordinator and the Mayor's Office as a department that does not provide programs and services directly to the public or have regular and substantive contact with the public.
- 1.12. **Qualified Interpreter:** An interpreter who via a remote interpreting service or an on-site appearance adheres to generally accepted interpreter ethics principles, including client confidentiality; has demonstrated proficiency in speaking and understanding both spoken English and at least one other spoken language; and is able to interpret effectively, accurately, and impartially, both receptively and expressly, to and from such language(s) and English, using any necessary specialized vocabulary, terminology, and phraseology.
- 1.13. **Qualified Translator:** A translator who adheres to generally accepted translator ethics principles, including client confidentiality; has demonstrated proficiency in writing and understanding both written English and at least one other written non-English language; and is able to translate effectively, accurately, and impartially to and from such language(s) and English, using any necessary specialized vocabulary, terminology, and phraseology.
- 1.14. **Translation:** The replacement of written text from one source language into an equivalent written text in the target language.
- 1.15. **Vital Document:** A document is a Vital Document (regardless of format e.g., print, electronic, and audio recording) if it affects access to, retention in, or termination or exclusion from a City Department's programs or activities or is required by law. Vital Documents may include: (1) applications, consent forms, intake forms or other forms to participate in a City program or activity; (2) written letters or notices pertaining to rights and the reduction, denial or termination of services or benefits or that require a response, including information about the right to appeal any City Department's decision; (3) notices advising LEP Persons of free language assistance; (4) materials explaining the City's programs or activities; (5) complaint forms; and (6) any other written documents that have the potential for determining eligibility for, or access to, services from, or participating in, a program or activity of the City Department.

## 2. Language Assistance Services

- 2.1. When feasible, the City shall provide essential public information for a minimum of the top 3 commonly utilized languages by the City's culturally diverse population. The City will depend on a variety of relevant sources (e.g., U.S. Census data, administrative data, and local data reports created by our partners at the American Immigration Council or Community Service Council, etc.) to determine the commonly spoken languages.
- 2.2. Language assistance will be provided by bilingual or multilingual employees, or interpretation and translation services.
- 2.3. All interpreters, translators, and other resources needed to comply with this policy shall be provided without cost to the Limited English Proficient (LEP) individual being served. Constituents and visitors will be informed that these services are available free of charge.

- 2.4. Continuous efforts will be maintained to implement the language access policy, as it is enacted and improved upon over an extended period.
- 2.5. Refer to the *City of Tulsa Language Access Procedures* for specific guidance on providing language services.

### **3. Role of Citywide Language Access Coordinator**

- 3.1. The Citywide Language Access Coordinator shall assist with the provision of language services and provide technical assistance, such as trainings and consultations, to all City departments in providing such services.
- 3.2. In collaboration with the Mayor's Office, the Citywide Language Access Coordinator shall annually review the policy and identify which departments should be designated as LEP Service Departments.

### **4. Language Access Implementation Plans and Department Language Access Liaisons**

- 4.1. LEP Service Departments shall:
  - 4.1.1. Develop and implement a department specific Language Access Implementation Plan outlining the procedures and practices the department will implement to comply with this policy;
  - 4.1.2. Update the department's Language Access Implementation Plan every two years; and
  - 4.1.3. Designate a Department Language Access Liaison to lead the development and implementation of the department's Language Access Implementation Plan and ensure the department is in compliance with the policy.
- 4.2. Non-LEP Service Departments shall:
  - 4.2.1. Be exempt from developing and implementing a Language Access Implementation Plan.
  - 4.2.2. Identify a Department Language Access Liaison to ensure the department is in compliance with the policy.

### **5. Employee Training**

- 5.1. The Citywide Language Access Coordinator will provide LEP Service Department Employees training in:
  - 5.1.1. Policies and procedures for assisting LEP populations.
  - 5.1.2. Efficient communication techniques including the effective use of an interpreter, and how to properly interact with LEP individuals.
- 5.2. Each LEP Service Department Liaison shall provide training to their department's LEP Service Department Employees on their department's implementation plan.
- 5.3. In Non-LEP Service Departments, only the Liaisons shall be trained and be called upon in the case that an LEP individual contacts the department.

### **6. Reporting**

- 6.1. The Citywide Language Access Coordinator will work with the LEP Service Department Liaisons to measure progress, as well as obtain feedback from the public regarding language services.

- 6.2. LEP Service Department Liaisons shall provide an annual department report to their department head and Citywide Language Access Coordinator by January 30 for the previous year. The Coordinator will provide a template for the report which shall include Language Access Implementation plan progress, assessments, and recommendations.
- 6.3. Citywide Language Access Coordinator will submit a citywide report based on information included in annual department reports to the Mayor and department heads for review by March 31.

## **7. Language Access Webpage**

- 7.1. The City of Tulsa shall maintain a Language Access Webpage on the City's website.
- 7.2. The Language Access Webpage will contain Language Access tools such as iSpeak cards, LEP Service Departments' Language Access Implementation Plan, City policies related to Language Access, current demographic information of the different languages spoken in the City, and other important information related to Language Access.
- 7.3. The Citywide Language Access Coordinator will be responsible for ensuring that the content on the Language Access Webpage is current and accurate.

## **8. Notice of Availability of Services**

- 8.1. Signage materials indicating the availability of language assistance services free of cost to LEP individuals shall be displayed in City Hall, reception areas and other areas where the public may access services and programs.
- 8.2. Vital documents shall include a statement that indicates the availability of language assistance services in at least the top 3 spoken languages (i.e., a Babel notice), where feasible.
- 8.3. The City of Tulsa shall include Babel notices in public meeting announcements to inform LEP individuals that interpreting services are available upon request. Services should be requested as far in advance as possible, and preferably at least 48-hours before the date of the meeting.

## **9. Language Access Feedback Process**

- 9.1. Any LEP individual may provide feedback about the language assistance services provided in compliance with this policy.
- 9.2. All feedback shall be directed to the Citywide Language Access Coordinator. Feedback shall be submitted via email at [resilient@cityoftulsa.org](mailto:resilient@cityoftulsa.org) or by calling 311.
- 9.3. All LEP Service Departments shall take reasonable steps to inform LEP individuals and stakeholders about the feedback process. This shall include posting information about the process and making it available in commonly spoken languages.
- 9.4. The feedback should specify the date, individuals involved, the nature of the feedback, and LEP individual's contact information (optional).
- 9.5. The Citywide Language Access Coordinator shall investigate upon receipt of a complaint, report, or other information that alleges or indicates possible noncompliance. The individual will be informed in writing of the outcome of the investigation. If the coordinator makes a finding of noncompliance, the letter to the individual shall include the steps that will be taken to correct the noncompliance.

# Appendix

## City of Tulsa Language Access Procedures

These procedures shall be applied when assisting Limited English Proficient (LEP) individuals. These procedures will be reviewed at least every two years by the Citywide Language Access Coordinator.

The City of Tulsa will contract with professional language service companies to provide onsite, telephonic, and video remote interpretation and translation services on an as-needed basis by qualified interpreters and translators.

### Identification

1. LEP Service Department Employees and Non-LEP Service Department Liaisons should first identify the language and communication needs of the LEP individuals contacting the department. If necessary, employees may use a language identification card, iSpeak cards or posters to determine the language. Language Access tools are available online from the U.S. Department of Justice at: <https://www.lep.gov/i-speak-card>. Local tools will also be made available.

### Interpretation

1. Bilingual Staff and Professional Language Services
  - 1.1. LEP Service Departments shall first use their bilingual or multilingual staff, if available, to assist the LEP individual.
    - 1.1.1. LEP Service Departments shall maintain a list of any bilingual, or multilingual employees it may have, the language(s) they speak, and their work contact information. This list shall be made readily available to all employees in the department.
  - 1.2. If a bilingual employee is not available, LEP Service Department Employees shall use the professional company contracted by the City to provide onsite, telephonic, or video remote interpretation services by qualified interpreters.
  - 1.3. Non-LEP Service Departments shall use their Liaison to coordinate interpretation.
2. Friends/Family
  - 2.1. LEP individuals who prefer to use a family member, or friend as interpreter, may do so if they request it. The City may elect to have its own bilingual staff or qualified interpreter present.
  - 2.2. For reasons of accuracy, confidentiality and family dynamics, minor children (under 18) shall not interpret or translate vital documents for family members or other LEP individuals. The only exception to this policy may occur in life threatening emergencies when a minor child is the only available potential interpreter.
  - 2.3. For official proceedings, a qualified interpreter shall be required.
3. Volunteers

- 3.1. Volunteers whose language translation and interpretation abilities have not been assessed shall not be relied upon.
- 3.2. Volunteer interpreters shall not be used to interpret or translate financial or legal interactions between the City and resident.

## **Translation**

1. Translation of Vital Documents
  - 1.1. LEP and Non-LEP Service Departments: Vital documents will be selected by department staff and approved by the Liaison and department head and submitted to the Language Access Coordinator for final approval and for further processing with a professional translation company contracted by the City.
  - 1.2. Vital documents shall only be translated by a qualified translator.
  - 1.3. Vital documents must be translated in a timely manner in the requested language.
  - 1.4. Translated vital documents shall be made available on the City's or department's web page.
2. Translation of Non-Vital Documents
  - 2.1. LEP Service Departments shall translate non-vital documents first using their bilingual or multilingual department staff, second, if necessary, a professional translation company contracted by the City.
  - 2.2. Non-LEP Service Departments shall use their Liaison to coordinate translation of non-vital documents.