



NATIONAL CENTER ON
IMMIGRANT INTEGRATION POLICY

Is This Working?

ASSESSMENT AND EVALUATION METHODS USED TO
BUILD AND ASSESS LANGUAGE ACCESS SERVICES
IN SOCIAL SERVICES AGENCIES

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July 2009

Acknowledgments

The authors would like to thank the Annie E. Casey Foundation for its generous support of this project.

We are also grateful to Margie McHugh and Michael Fix for their valuable edits, insights, and suggestions. Thanks are also due to Melinda Weir and Michelle Mittelstadt from the MPI Communications team.

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Suggested citation: Laglagaron, Laureen et al. 2009. *Is This Working? Assessment and Evaluation Methods Used to Build and Assess Language Access Services in Social Services Agencies*. Washington, DC: Migration Policy Institute.

I. Introduction

The enactment of President Clinton's Limited English Proficiency (LEP) Executive Order, issued in 2000, triggered a proliferation of efforts to provide services to individuals who cannot speak, understand, read, or write English fluently. With increased service provision, state and local government agencies have expressed a strong and growing interest in assuring the quality and cost-effectiveness of language access services. In turn, many agencies have developed unique and innovative monitoring tools and assessment practices that can be used to improve existing services and guide agencies as they conceptualize, implement, and manage the ongoing operations of language access service programs.

This paper attempts to catalog and describe some of those tools and practices. We found those tools and practices through a review of the existing literature and our own scan of agency practices. They are generally designed to meet three core program needs:

- **Develop an effective and comprehensive service delivery plan:** a variety of assessment tools and oversight practices are used to help managers ensure that a program has all essential components;
- **Certify and train translators and interpreters:** these mechanisms provide assurances that all translators and interpreters – including subcontractors – are qualified or certified in the target language; and
- **Program monitoring and evaluation:** despite the relative newness of this field, a range of approaches are used to assess the sufficiency and quality of services, whether from the perspective of clients or using broader frameworks such as that of civil rights law.

Assessment instruments that will be reviewed in the report, many of which can be linked to immediately from this page, include:

- ***Tools to Build an Effective and Comprehensive Service Delivery Plan***
 - Methods for Estimating the Number of and Languages Spoken by LEP Individuals
 - [Handout from the 2008 Federal Interagency Conference on Limited English Proficiency](#)
 - [The City of Seattle's Use of Census Estimates to Identify Priority Languages for Translation and Interpretation](#)
 - [Hawaii Department of Human Services Resolution Agreement and guidance for collecting LEP data](#)
 - Self-Assessment Checklists for Language Access Programs
 - [Washington State's Department of Social and Health Services \(DSHS\) LEP Audit Review](#)
 - [Wisconsin's Department of Health and Family Services Self-Assessment Checklist](#)

- [Hawaii's Office of Language Access Reporting Tool](#) and [Instructions](#)
 - National Language Access Peer Network Checklist
 - Oversight Committees to Monitor Progress in Language Access Programs
- ***Certification and Training of Translators and Interpreters***
 - Certification of Private Vendors
 - Internal Testing and Certification
 - Washington State: Agency-wide certification systems
 - Iowa: Partnerships with community colleges to train and certify bi/multilingual workers
 - Interpreter Training
- ***Program Monitoring and Evaluation Practices***
 - Customer Surveys
 - Secret Shoppers: [City of New York's Customers Observing and Research Experiences \(CORE\) program](#)
 - Washington State's DSHS Quality Assurance Review Process
 - [Wisconsin's DFHS Civil Rights Compliance Assessment](#)

II. Identifying Outcomes for Language Access Programs: What Should and Can be Measured?

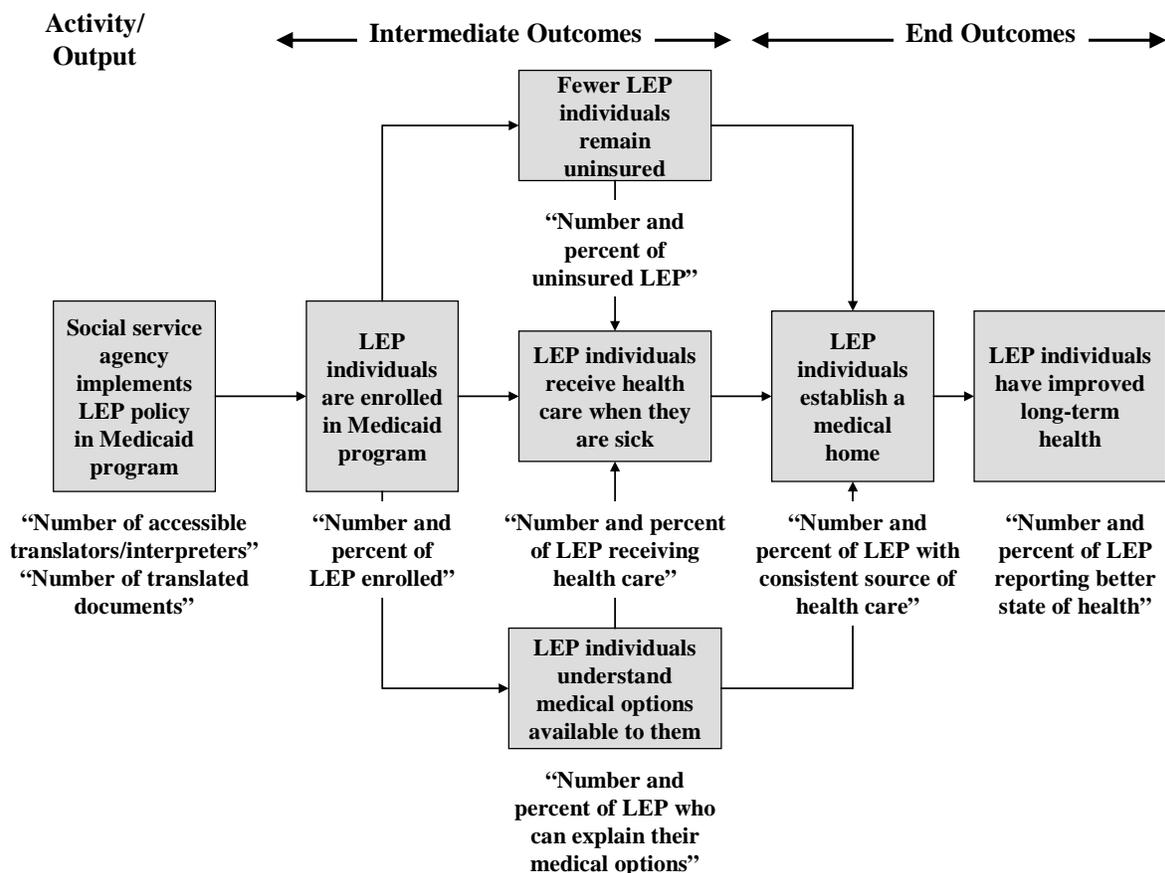
Collecting data and identifying appropriate results for language access programs is a complex undertaking. Program managers must determine the extent, type and potential sources of data needed for planning purposes on LEP individuals participating or likely to participate in their program. They must find ways to determine, even after they may have established services to remove access barriers, whether LEP individuals are getting the services they need. And from an operational standpoint, they must determine whether individuals are qualified to provide the services they will be offering, and monitor the quality of services they provide.

With so many relevant data points, it can be overwhelming to begin the task of evaluation. Performance measurement specialists encourage the use of outcome-sequence charts (or logic models) to help identify outcomes and indicators for particular programs.¹ These charts visually represent end goals of programs and track intermediate outcomes and their indicators.² Figure Two provides a hypothetical example of the outcomes in implementing an LEP policy in a Medicaid program.

¹ Harry P. Hatry, *Performance Measurement: Getting Results* (Washington, DC: The Urban Institute, 2006).

² *Ibid.*

**Figure Two. Outcome-Sequence Chart with Indicators:
LEP Policy in Medicaid Program**



The strength of an outcome-sequence chart is its ability to map out both initial, interim and end outcomes. Once those outcomes are clearly identified by an agency, staff can consider appropriate indicators for a program. In the example above, the end outcome is that LEP individuals have improved long-term health. As an agency moves towards that goal, there are several intermediate target outcomes that they can measure: how many LEP individuals enroll in the program? Do LEP individuals understand their medical options? Are LEP individuals receiving health care when they are sick? Each evaluation point contributes towards the larger end goal of improving LEP individuals' long-term health.

Most programs we are aware of do not yet measure end outcomes: this may be due to a lack of resources to engage in this level of evaluation; the relative youth of many programs and the need for a longer time horizon for end outcomes to be achieved; and/or the fact that language services are ancillary by nature, and therefore end outcomes owe more to the underlying service being provided, even though the service might not have been received were it not for the elimination of linguistic barriers. Therefore, by and large, the assessments discussed in this paper focus on tools and practices used by state and local government agencies to ensure the quality of program planning and implementation activities and the quality, relevance and comprehensiveness of services actually delivered by their programs.

III. Evaluation Guidance from Current Language Access Laws and Policies

In 1973, the California Legislature enacted the [Dymally-Alatorre Bilingual Services Act](#). The act requires state agencies to provide certain language access services if five percent or more of their clientele are Limited English Proficient (LEP) individuals. If this threshold is reached, the agency must employ a sufficient number of qualified bilingual staff, translate pertinent documents, and identify other methods of serving LEP clients.³ Since the passage of the Dymally-Alatorre Bilingual Services Act numerous states, counties and cities have passed legislation or executive orders that require the establishment of plans for the provision of services to LEP clients within their jurisdiction. Often, these plans include steps agencies must take to determine whether they are required to provide access to services for LEP clients,⁴ guidance for developing a language access plan,⁵ and identification of the top languages for translation or interpretation.⁶ [For a full listing of language access policies at the state and local level, click [here](#)]

Many state and local policies provide precise instructions for developing language access plans, including noting the percentage of LEP individuals in the jurisdiction that would trigger the provision of language access services. However, few policies offer specifics on monitoring and evaluating the quality and outcomes of language access programs. Instead, they generally note the need to assess and provide services. In some cases, policies do not even require evaluation of language access programs. Without guidance on how to evaluate their programs, agencies are left to improvise and construct evaluation tools. In the worst case scenario, agencies simply do not assess the efficacy of their language access services. The Department of Justice offers some broad tools for evaluation but their focus is on compliance with federal law, which is only one aspect of language access program evaluation.

California's Dymally-Alatorre Bilingual Services Act and ordinances in the City of Oakland and the City and County of San Francisco provide the most detailed guidance on assessing and evaluating the implementation of language access plans. In California, the Act requires each state agency to conduct a biennial assessment that measures interaction with LEP clients, track the number of languages spoken by LEP clients, and report on bilingual staffing needs.⁷ This survey information is to be compiled in a report that is presented to the legislature every two years. The information collected by the survey is extensive: each agency must report the total number of contacts by language, identify translated documents, and specify compliance with federal and state law.⁸ The lag time between the survey period and submission of a report to the legislature can be substantial - the most recent survey data available cover 2003-2004; they were published in 2006. While the survey appropriately identifies bilingual staffing deficiencies and monitors LEP interaction with California state agencies, the survey does not monitor the quality of services provided to LEP clients.

Merely tracking the number and languages of LEP clients can pose challenges for city and county governments. For example, the City of Oakland's municipal code contains reporting requirements

³ California State Personnel Board, *2003-2004 Statewide Language Survey and Implementation Plan – Volume I: Report to the Legislature by California State Personnel Board* (Sacramento: California State Personnel Board, 2006).

⁴ Hawaii Revised Statutes, Chapter 371 – Part II, *Language Access*

⁵ District of Columbia, *Language Access Act of 2004*.

⁶ Executive Order 120: Citywide Policy on Language Access to Ensure the Effective Delivery of City Services.

⁷ *2003-2004 Statewide Language Survey and Implementation Plan*, 2006.

⁸ *Ibid*.

similar to those under the Dymally-Alatorre Act. The City Administrator must issue an annual compliance plan that details the number of bilingual staff, the number and languages of LEP clients, and the means by which the City communicates with LEP clients. However, Oakland's municipal code goes even further in its reporting requirements, affirmatively requiring "[a] report regarding the adequacy of service to members of the limited-English-speaking persons group."⁹ The law does not, however, provide guidance on how to assess whether a program is providing adequate guidance to LEP individuals.

Perhaps in an indication of the difficulty of evaluating language access programs, in September 2008, the City of Oakland was sued by community groups alleging that the city had provided only three incomplete plans since the ordinance was adopted in 2001.¹⁰ In a suit being closely monitored by other language access advocates who may pursue litigation in their own locality,¹¹ the plaintiffs demand that the City of Oakland comply with the 2001 language access law. The suit was brought in part by Danny Wan, a former City Council member who sponsored the original ordinance; it alleges that the city failed to collect data or provide an assessment of progress under the language access law.

Whether due to the threat of litigation, the requirements of legislation, or the expectations of policy makers and taxpayers, managers of language access programs must find ways to evaluate the quality and success of their services. Despite the fact that President Clinton's Executive Order 13166 is almost a decade old, few state or local agencies provide thorough and timely indicators of their capacity to serve LEP individuals. Nevertheless, states and localities are experimenting with a number of tools and practices that allow them to monitor and ensure the quality of access to services for LEP individuals. Descriptions of these tools and practices follow.

IV. Tools to Build A Comprehensive, Competent, and Responsive Service Delivery Program

There are a number of essential elements in creating a complete and responsive service delivery plan for LEP populations. An assessment of the LEP population and the creation of a language access plan are usually the first steps in providing services to LEP individuals. Indeed, the Federal Interagency Working Group on Limited English Proficiency lists several [resources](#) for creating a comprehensive language access plan. This section will describe: (1) methods for estimating the number of and languages spoken by LEP individuals; (2) self-assessment tools that ensure comprehensive service delivery programs; and (3) the use of oversight committees to administer or supervise language access programs.

⁹ Oakland Municipal Code § 2.30.100(B)(15).

¹⁰ Public Advocates, "Equal Access Advocates Sue City of Oakland for Failing Non-English Speaking Students," *Public Advocates*, September 15, 2008, available at <http://www.publicadvocates.org/docs/OaklandEAOPressRelease091208FIN.pdf>

¹¹ Jennifer Deng-Pickett, "Testimony of Jennifer Deng-Pickett, Director of D.C. Language Access Coalition, Committee on Workforce Development and Government Operations: The Enforcement and Effectiveness of the Language Access Act – A Year in Review," September 24, 2008, available at http://www.dclanguageaccess.org/cm/files/Jennifer%20Deng-Pickett_001.pdf.

I. Assessing Current Language Needs

To determine current language needs, agencies must survey the number of languages spoken by LEP individuals in their service area. According to the Department of Justice's [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons \(DOJ LEP Guidance\)](#), assessing the number of LEP individuals in a service area is one way to assess the extent of an agency's obligation to provide LEP services. The DOJ LEP guidance considers:

- (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
- (2) the frequency with which LEP individuals come in contact with the program;
- (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and
- (4) resources available to the grantee/recipient and costs.¹²

As previously noted, California's Dymally-Alatorre Bilingual Services Act further requires agencies who serve five percent or more LEP individuals to have certain language access services available to LEP individuals in their area.

The Census Bureau's American Community Survey is one source for data on LEP individuals within a catchment area. The 2008 Federal Interagency Conference on Limited English Proficiency provided a [handout](#) to help guide agencies find annual data on language use and English-speaking ability through American FactFinder, a Census bureau website. The City of Seattle has used the federal census to identify first tier and second tier languages other than English spoken by its residents.¹³ The first tier includes the top seven languages spoken in Seattle (Spanish, Vietnamese, Cantonese, Mandarin, Somali, Tagalog, and Korean), and the second tier languages (Cambodian, Amharic, Oromo, Tigrinya, Laotian, Thai, and Russian) are languages spoken by at least 2000 Seattle residents.¹⁴ In its [Translation and Interpretation Policy](#), the City of Seattle notes that all reasonable efforts must be made to translate vital documents into the first tier languages. In addition, documents containing critical information should be translated into the second tier language.

In addition to the census, other resources can prove helpful in assessing the number of LEP individuals in a catchment area. In a [resolution](#) entered into by the United States Department of Health and Human Services (USDHHS), the Office for Civil Rights (OCR), and the Hawaii Department of Human Services (HDHS), the agreement directs HDHS to look to the following sources to estimate of the number of LEP individuals likely to be affected by HDHS's programs:

- (1) Census data;
- (2) Utilization data from LEP individuals' files;
- (3) School system data;
- (4) Data from state and local governments;
- (5) Data from community agencies and organizations; and,

¹² Department of Justice, *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 Fed. Reg. 41455 (June 18, 2002) (Final DOJ Guidance to Recipients); <http://www.usdoj.gov/crt/cor/lep/DOJFinLEPFRJun182002.pdf>.

¹³ City of Seattle, *Translation and Interpretation Policy* (September 2006); http://www.seattle.gov/mayor/issues/rsji/docs/Translation_and_Interpretation_Policy.PDF.

¹⁴ *Ibid.*

(6) Information from refugee/immigrant agencies.¹⁵

The resolution agreement resolves a compliance review initiated by the OCR as a result of a complaint alleging that HDHS discriminated against persons with limited English proficiency.¹⁶ By listing local school data and soliciting input from immigrant-serving agencies, the agreement underscores the value of looking to multiple data sources to obtain an accurate count of the number of LEP individuals in a service area. Information about the number of and languages spoken by LEP individuals can inform current and future staffing needs and matches bi/multilingual workers to appropriate departments by program language need.

2. Self-Assessment Checklists for Language Access Programs

To navigate legal requirements and the practical needs of their LEP constituents, agencies often turn to self-assessment checklists to evaluate program delivery models. Self-assessment checklists are monitoring instruments that allow for a discrete number of answers, typically “yes” or “no.” Once constructed, self-assessment checklists are practical, cost-efficient, and user-friendly tools for collecting basic information that can assess an overall language access plan or evaluate individual service delivery. Examples include:

- The Department of Justice’s [checklist](#) to help recipients of federal funds assess whether their program is in compliance with federal and state laws governing language access;
- The New Jersey Hospital Association’s [hospital assessment tool](#) that assists hospitals in their ongoing review of the services and resources available to LEP patients;
- Washington State’s Department of Social and Health Services (DSHS) [LEP Audit](#);
- Wisconsin’s Department of Health and Family Services (DFHS) [self-assessment checklist](#); and
- Hawaii’s Office of Language Access [reporting tool](#).

Washington State’s Department of Social and Health Services (DSHS) LEP program was established as part of a settlement agreement with the Department of Justice’s Office of Civil Rights in the 1980s.¹⁷ DSHS was sued in 1991 after a client was incorrectly denied public assistance benefits due to misinterpretation by an interpreter. As part of a 1991 consent decree, DSHS was required to monitor and assess the level of services for LEP in a one-time review. The agreement also required assessment on an ongoing basis. Since 1991, DSHS conducts a LEP audit that reviews: (1) the reception area and waiting room; (2) the availability of forms; (3) the process for requesting translators; (4) interpreter procedures and contract management; and (5) case records. Auditors choose a reliable sample of case records and then review them using a checklist of audit factors. In doing so they:

- View the history of written communication with the LEP client;
- View any case record documentation of LEP status;
- Determine if benefits have been correctly paid based on issuance of a translated legal notice; and

¹⁵ United States Department of Health and Human Services (USDHHS), Office for Civil Rights (OCR) and the Hawaii Department of Human Services (HDHS), *Hawaii Department of Human Services Resolution Agreement*, (September 2008); <http://www.hhs.gov/ocr/civilrights/activities/agreements/hawaiiagree.html>.

¹⁶ *Ibid.*

¹⁷ Interview with Jason Reed, Program Manager, Economic Services Administration, Department of Social and Health Services, Washington State, telephone interview by author, February 18, 2008.

- Determine if equal access to services has been provided to the LEP client.

The LEP audit is conducted every 12-18 months in most of the DSHS's 60 field offices (smaller branch offices are reviewed less frequently). Upon completion of the review, offices are sent a management evaluation report documenting the results of the review. The report identifies any negative findings, along with proposals for corrective action. Full instructions, including the case record review can be accessed [here](#).

Wisconsin's Department of Health and Family Services (DFHS) has partnered with the state Department of Workforce Development to administer its own [self-assessment checklist](#).¹⁸ Unlike Washington State's tool, DFHS's monitoring instrument is an assessment of an office's overall compliance with civil rights law. In that respect, the tool evaluates issues beyond access to services for LEP clients, assessing an office's interaction with women, minorities, and persons with disabilities. An all-inclusive civil rights approach has the advantage of probing several additional areas that may affect an LEP individual's access to services, and is an efficient means to gather data across multiple metrics. Moreover, a partnership with another agency that must comply with civil rights regulations is a cost-effective strategy that can reduce the cost of evaluation by sharing the work and resources devoted to creating and administering an assessment tool. Not surprisingly, given its broader focus, at 17 pages, DFHS's evaluation tool is significantly longer than the DSHS LEP review.

Hawaii's Office of Language Access has recently developed a reporting tool for use by state agencies to collect data on their LEP encounters and services. The reporting tool examines the type of services provided to LEP customers, the number and type of oral language services used, the number of documents translated, and overall expenditures on language access. The first quarterly report from agencies will be available in April 2009. [Instructions](#) and the [reporting tool](#) are currently available.

Finally, in 2008, the Annie E. Casey Foundation's National Language Access Peer Network (the "Casey Network") collaborated to develop essential elements of high-quality public programs that increase access for LEP residents. The Casey Network is a peer-to-peer learning network for government social services professionals tasked with developing translation and interpretation services that strengthen the quality of language access services. Table One is a self-assessment checklist based on the elements identified by the Casey Network that can be used by agencies to determine the strength of their language access program. The checklist identifies key tasks that must be accomplished to establish a high-quality program and can also be used for ongoing monitoring to ensure a program is providing quality services that respond to client needs.

¹⁸ Interview with David Lopez and David Duran, Department of Health and Family Services, Wisconsin, telephone interview by author, February 20, 2008.

Table One. Self-Assessment Checklist for Public Programs

ASSESSMENT AREA	YES	NO	COMMENTS
Conducting Preliminary and Ongoing Assessment for Informed Planning			
1. Has your agency conducted an assessment of the language needs of the general or eligible population in the local service area? (number of LEP individuals, languages spoken and/or linguistically-isolated households)			
a. If so, what data sources have you used:			
Census/American Community Survey			
School District			
Labor Market Information			
Community Organizations			
Other (please specify)			
2. Has your agency conducted an assessment of its capacity to serve LEP populations?			
a. Can you identify the languages spoken by current staff?			
b. Is there a way to measure the proficiency level of bi/multilingual staff?			
c. Are bi/multilingual staff assigned according to ongoing community language needs?			
Implementing a Language Access Plan			
3. Evaluating a client's first interaction with your agency:			
a. Are there bi/multilingual signs easily visible at the reception area or office?			
b. Are there pictorial signs for low-literacy/illiterate LEP clients easily visible at the reception area or office?			
c. Are frontline staff bi/multilingual?			
d. Are bi/multilingual telephone lines available to clients at this office?			
e. Is your website bi/multilingual?			
f. Have you partnered with community-based organizations to inform them about the linguistic accessibility of your program?			
4. Tracking a client's language preference:			
a. Is there a mechanism to track language preferences of LEP individuals over time?			
b. If so, does your tracking mechanism enable LEP individuals to receive communications and services in their native languages?			

ASSESSMENT AREA	YES	NO	COMMENTS
5. Determining if there are sufficient numbers of bi/multilingual staff members:			
a. Are there procedures for assessing and certifying individual staff language skills?			
b. Are there policies for aligning bi/multilingual staff members' skills (oral or written) with LEP program needs?			
c. Are bi/multilingual staff culturally competent?			
d. Has your agency developed clear compensation and retention policies for bi/multilingual staff?			
e. Has your agency participated in recruitment programs for bi/multilingual staff?			
6. Obtaining competent and qualified interpreters:			
a. Are your interpreters fluent in both languages and familiar with relevant vocabulary?			
b. Do your interpreters possess the appropriate skills for the particular context?			
c. Do your interpreters understand applicable ethical principles?			
d. Are your interpreters culturally competent?			
e. Are there procedures to ensure that interpreters are available in a timely manner?			
7. Training Agency Staff			
a. Are staff trained in the agency's policies and procedures for obtaining language assistance?			
b. Are <i>all</i> staff trained to interact with LEP individuals and their interpreters?			
c. Do staff receive training in cultural competence?			
d. Are staff trained on the complaint procedure for LEP clients alleging discrimination on the basis of national origin?			
e. Are staff language access trainings scheduled at regular intervals to update staff knowledge and include new employees?			

ASSESSMENT AREA	YES	NO	COMMENTS
8. Translating Written Documents			
a. Are there procedures in place for identifying vital documents?			
b. Are there procedures in place for ensuring that translations are accurate and understood by the target population?			
c. Is there a mechanism to track and update translated documents?			
d. Has your agency created a plan to disseminate vital translated documents within your agency?			
e. Has your agency created a plan to disseminate vital translated documents to the broader public?			
Evaluating Your Language Access Plan			
9. Ongoing Monitoring, Feedback & Improvement			
a. Are there staff dedicated to monitoring or providing technical assistance to your language access plan?			
b. Are evaluations scheduled at regular intervals?			
c. Does your agency solicit feedback from community-based organizations on a regular basis?			
d. Does your agency survey its LEP clients on a regular basis?			
10. Ongoing Data Collection			
a. Are there staff dedicated to collecting program data?			
b. Does the agency collect data on the number of LEP individuals served?			
c. Does the agency collect demographic data on LEP individuals served or encountered in the eligible service population?			
d. Does the agency monitor how much is spent on their language access plan?			
11. Is there a Task Force or Oversight Committee that assists your agency in monitoring and implementing the language access plan?			

ASSESSMENT AREA	YES	NO	COMMENTS
Resolving Complaints			
12. Establishing Complaint Procedures			
a. Has your agency developed procedures for investigating complaints alleging discrimination on the basis of national origin?			
b. Are complaint procedures translated and accessible to LEP clients?			
1. Posted signs at intake areas			
2. Resource areas			
3. Client file			
4. Written notices			
5. Explained during orientation/intake			
6. Other (specify)			
Conducting Ongoing Outreach to LEP Residents			
13. Has your agency established partnerships with community-based or advocacy organizations to increase LEP participation?			
14. Has your agency established partnerships with community-based or advocacy organizations to advertise bi/multilingual employment opportunities?			
15. Has your agency publicized its program through ethnic media?			
Building External and Internal Support for Equal Access Policies			
16. Are there funds dedicated to providing language access services in your agency?			
17. Is middle and senior management aware of and dedicated to providing language access to LEP individuals?			

3. Oversight Committees to Monitor Progress in Language Access Programs

While self-assessment checklists can help agencies ensure that their language access programs are comprehensive and responsive, programs must also consider an accountability structure that monitors and evaluates ongoing progress in service delivery to LEP populations.

San Francisco's Human Services Agency established a standing bilingual services committee to provide oversight to the agency on issues regarding language access. This committee serves several purposes. Chiefly, it:

- Offers recommendations to management;
- Provides direction for improving services;
- Ensures sufficient resources are in place to do the ongoing maintenance work (e.g., translation of documents); and,

- Provides detail to guide implementation at the program level.

One member of the committee is the agency's language services coordinator. Agency staff report that the program has benefited from having an oversight committee because the committee ensures that language access remains a priority in the minds of staff and management alike¹⁹. It can also solicit feedback from various department programs about what practices are working and which are not, and address the overall accessibility of services to clients, with a specific focus on LEP clients.

In much the same way that San Francisco's bilingual services committee is reported to have proved helpful in the development and implementation of language access policies, creation of an LEP data and evaluation oversight committee may help agencies achieve consistent and regular measurement of service delivery for LEP clients. Such a committee could recommend useful data points to monitor, create agency-specific checklists, and collaborate with other agencies to perform site visits, announced or unannounced. These committees could include agency staff, experts in performance measurement, academics, government officials, community-based organizations, and private businesses. The inclusion of private businesses could be especially helpful as the private sector has historically engaged in evaluations that monitor multilingual service provision that include client-based assessments.²⁰ The goal of the committee would be to create an ongoing results-based performance system for their specific language access program.

V. Certification and Training of Translators and Interpreters

Creating and maintaining a comprehensive and responsive service delivery plan is the first step in building a sustainable language access program. Infrastructure alone however, cannot guarantee LEP individuals will obtain accurate translations, competent interpreters, or even sufficient access to services. To ensure the quality of services provided in the field, language access programs have used internally administered and contracted testing and certification programs to determine the level of proficiency of their interpreters and to measure accuracy in their translated materials. This section reviews: (1) Using Private Vendors to Certify Language Proficiency; and (2) The Administration of Agency-Wide and Community-College Based Testing and Certification Measures.

Often, quality assurance begins at the initial point of hiring a translator or interpreter. The Department of Justice's Civil Rights Division offers helpful [tools and tips](#) for assessing and hiring bilingual workers. For example, some background questions that agencies may consider asking of potential hires include:

- Are you a practicing interpreter or translator?
- Where did you obtain your language skills (both English and the other language)?
- Will you be able to understand and be understood by the LEP person, who is from _____, or might there be a dialect or geography-based language barrier?
- How long have you been a practicing interpreter/translator?
- If not a practicing interpreter/translator, have you interpreted/translated before and, if so, in what situations?
- What specialized training have you received, or are you self-taught?

¹⁹ Deborah Landis and Sarah Crow, "Promising Language Access Practices in a Social Services Setting" (San Francisco, CA: San Francisco Human Services Agency, 2008).

²⁰ Vivek Malhotra and Theodore Wang, *The Language of Business: Adopting Private Sector Practices to Increase Limited-English Proficient Individuals' Access to Government Services* (San Francisco, CA: Chinese for Affirmative Action, 2004).

- Are you certified by and/or an active member of any interpreter/translator association?
- [For spoken interpretation only] Are you able to perform simultaneous interpretation (technique where the interpreter interprets at the same time as the speaker)? Are you able to do consecutive interpretation (where there is a pause between language conversions)?
- What will you do if you don't understand something that [the LEP individual] has said/written?
- What will you do if you believe you have interpreted/translated something inaccurately?
- Do you receive continuing education?
- Do you specialize in law enforcement, medical, educational, or some other type of interpretation (oral) or translation (written)?
- Do you have any background issues I should know about?²¹

Initial questions probing expertise in translation and interpretation may not suffice for some agencies. Therefore, state and local governments may require bi/multilingual applicants to pass certification examinations that attest to the strength of their language skills. These tests can be administered through private vendors or through internal government offices.

I. Private Vendors that Certify Language Proficiency

Many companies provide exams that test for oral proficiency.²² New York City's Department of Information Technology and Telecommunications, which handles a citywide contract with *LanguageLine*, informally tested *LanguageLine*'s proficiency testing process by having several bilingual New York City employees, ranging from employees fluent in a non-English language to employees with only a basic knowledge of a non-English language, take the assessment. The vendor evaluations matched the known abilities of these employees, thereby validating the tester's reliability and accuracy. Table Two displays companies that provide oral proficiency testing services.

²¹ US Department of Justice, Civil Rights Division, "Executive Order 13166 Limited English Proficiency Resource Document: Tips and Tools from the Field," (Washington, DC: Department of Justice, 2004). Available at http://www.lep.gov/guidance/tips_and_tools-9-21-04.htm#13.

²² Proficiency exams are different than interpretation exams, since interpretation is a skill separate from language ability.

Table Two. A Sample of Oral Proficiency Testing Vendors and Their Services

<p>Language Line</p>	<ul style="list-style-type: none"> • Provides a telephonic oral language proficiency exam for up to 160 languages. The level of proficiency of each individual is identified according to five possible levels, as demonstrated by their performance on a structured oral interview. • Results are sent to employers within roughly a week of the test. • The price varies depending on the number of tests ordered at one time. One to 49 tests cost \$115 each; 50 to 99 tests cost \$105 each; 100 to 499 tests cost \$95 each; and 500 or more tests cost \$90 each. Prices may be lower for tests ordered through large contracts.
<p>Language Testing International (LTI)</p>	<ul style="list-style-type: none"> • Provides telephone- and Internet-based oral proficiency exam using tiered ACTFL (American Council on Teaching Foreign Languages) guidelines. • The scores are returned in approximately 48 hours. • The telephonic exams cost \$114 per test and are available in 54 languages. Prices may be lower for tests ordered through large contracts. • The computer-based exams cost \$50 each and are administered through headsets. They are currently only available in English and Spanish with plans to add a number of languages, including Mandarin, Korean, Persian, and Arabic.
<p>Alta Language Services</p>	<ul style="list-style-type: none"> • Provides telephonic oral language proficiency tests. This service grades on a tiered scale. • Test results are returned the following business day. • Eighty-five languages are listed as available on their website and they are often able provide services for other languages as well. • The exams cost \$50 per test using a local Atlanta phone number and \$52 for a toll-free phone number. Prices may be lower for tests ordered through large contracts.
<p>Berlitz</p>	<ul style="list-style-type: none"> • Provides a telephonic oral language proficiency exam. This service grades on a tiered scale, and the website lists 57 languages available. • Scores are returned in 24 hours. • The price varies depending on the number of tests ordered at one time; it does not matter if the tests are held on different days. One to 99 tests cost \$110 each; 100 to 499 tests cost \$95 each; and 500 or more tests cost \$85 each. Prices may be lower for tests ordered through large contracts.

2. The Administration of Agency-Wide and Community-College Based Testing and Certification Measures

Some agencies prefer to use internal certification tests to test the skills and ensure the accuracy of their interpreters and translators. Organizations creating their own assessment systems are generally central offices providing services to a large number of departments and offices. Government agencies that use internal language assessment include Washington State's Department of Social and Health Services, the California State Bilingual Services Program, the Iowa Interpreter Program, the Illinois Department of Human Services, the City of San Francisco, the New York City Housing Authority, Maryland's Montgomery County Office of Human Resources, and Hawaii's Department of Health.²³

Although the initial costs of establishing an internally administered certification exam can be higher than using a vendor, in the long-term, costs can be kept relatively low through accessible and easily administered exams that can be graded by bilingual employees. Exam content is also more easily controlled and can be tailored to specific needs.

When to Test New Hires. In establishing an assessment system, organizations must decide whether to test employees before or after they are hired. Due to the cost of the exams, many agencies chose to test employees only after they are hired because testing all prospective employees who claim language ability can be expensive. Alternatively, employers can ask potential employees to bear the cost of certification, as is the case in Washington State and Iowa.

Organizations can also conduct a basic language assessment during the hiring process as a proxy for a complete exam. The Oregon Judicial Department uses a preliminary written exam to determine whether potential court interpreters might pass the full exam. If the candidate passes that language screen, this department then administers the more costly court interpreting exam. The Illinois State Office of New American Policy and Advocacy is reportedly considering a similar system in which a basic language test during the hiring process would be followed by a more complete exam if the candidate is hired. A machine-readable assessment would require little extra time or funding after its development, although it could not measure oral skills. The results of this exam could be taken into account when hiring, and if hired, the employee could then undergo a more complete assessment.

Testing timing may be affected by whether bilingualism is a requirement, a preferred skill, or not included at all in a job description. When bilingualism is required for a certain position, organizations must test employees during the hiring process to ensure a candidate has the requisite language skills. When language proficiency is a preferred skill, it is preferable to test candidate before hiring, as the results of the exam may affect hiring decisions. When language skills are not included on a job description, bilingual employees may still use their non-English language if beneficial for their position. Therefore, while these employees do not necessarily need to be tested during the hiring process, they should still be tested at some point.

One-time or Repeat Testing. Many organizations allow employees to take language assessment tests multiple times. This is especially valuable for employees who almost passed but were hindered by lack of specific vocabulary knowledge. Repeated testing ultimately results in a larger number of recognized or certified bilingual employees than allowing only one test, but it also costs the agency

²³ However, most of these assessments test for translation or interpretation ability, not general language skills.

more money, especially if it uses a contracted testing service. Moreover, many internally developed exams have only one version, and knowing exam question topics ahead of time can create a biased testing environment. In this case, organizations would need to make multiple versions of the same test or make slight adjustments to question topics. Montgomery County, Maryland, is an example of an agency that has created multiple versions of its exams for employees who must retake the exam. For more information about Montgomery County's exam for multilingual compensation, click [here](#).

After passing the exam, employees are generally not required to take it again. However, certain employees who rarely use their target language may become less proficient over time. California state employees are only required to take the language exam once during their employment, but a manager can request a second test if s/he deems it necessary due to a change in duties or if certain specialized terminology is used in a specific unit. Depending on the amount of target language use, employers may consider retesting employees after a certain number of years.

Grading System. While some assessment systems use a simple pass/fail grading system, others use a tiered grading system. Tiered assessments provide a more thorough understanding of what tasks an employee would be able to accomplish in the target language. The US Department of Justice (2002) supports this finding, stating: "While all language services need to be competent, the greater the potential consequences, the greater the need to monitor interpretation services for quality." Employees with advanced language skills may be able to conduct all work in their target language, but other employees with lesser skills – ones who may fall short in a pass/fail exam - could provide more basic communication. The New York City Housing Authority uses tiered exams and records specific scores, utilizing this information to assign higher-scoring employees to tasks requiring higher levels of language ability, such as legal proceedings.

Some use tiered assessments for reasons beyond differentiating tasks. For instance, certain organizations, such as the New York Police Department, simply ask high-scoring bilingual employees to utilize their language skills before resorting to lower-scoring employees, independent of the skill level necessary for the task. Others, including California State and Montgomery County, Maryland, ask some high-scoring staff to grade new employees' language assessments.

Exceptions to Assessment. Although structured exams are extremely valuable in proving language ability, certain qualifications may indicate language skills without a formal assessment. For example, if an employee has lived for a given number of years in a foreign country and has used the target language in university education and/or professional experience in his or her present occupation, certain organizations assume this employee to be fully bilingual. Montgomery County, Maryland, may utilize an employee's previous credentials to determine whether a formal assessment is necessary for languages not covered by internally administered exams. Past experience can also determine language ability in lieu of formal exams. These qualifications can be on a variety of experience measures showing language proficiency, including a certain number of years lived in a foreign country, amount of time in a job requiring foreign language skills, or a university degree in which courses were conducted in a foreign language.

a. Washington State: Developing An Agency-Wide Certification System

In 1992, Washington State's DSHS developed and implemented its own language testing and certification program to assess the skills of bilingual employees and contracted interpreters and

translators who provide language services to LEP clients.²⁴ The development of DSHS's Language Testing and Certification (LTC) program was the result of the aforementioned litigation and resulting consent decree.

The first tests were administered in the eight most common languages of DSHS clients: Spanish, Russian, Vietnamese, Cantonese Chinese, Mandarin Chinese, Cambodian, Laotian, and Korean.²⁵ DSHS administers testing in the following categories:

Bilingual Staff

Candidates are required to take a written and oral test. The written test consists of multiple choice exercises and writing/translating exercises. The oral test consists of sight translation and consecutive interpretation exercises.

Contracted Interpreters

- Social services interpreter candidates are given a “written” and oral test. The written test consists of multiple choice exercises that test basic English grammar, DSHS and social service vocabulary, and professional ethics. The oral portion of the test includes sight translation, consecutive interpretation, and simultaneous interpretation exercises (candidates do not need to pass the simultaneous interpretation exercise to achieve certification).
- Medical interpreter candidates are given a “written” and oral test (implemented in 1993). The written test consists of multiple choice exercises that test basic English grammar, medical terminology, clinical and medical procedures and professional ethics. The oral portion of the test includes sight translation and consecutive interpretation exercises.

Contracted Translators

Translator candidates are given a written translation test which consists of translating English passages (social services, medical and legal) into the candidate's non-English language.

Following successful performance on the certification/screening tests, bilingual staff, interpreters and translators are included on the statewide roster.

The [Professional Language Certification Manual](#) and [Bilingual Staff Test Information](#) for Washington State's certification program are publicly available. The manual is not designed to be a study guide for the examination, but rather serves to familiarize test participants with registration procedures and the testing process.

DSHS invested \$50,000-60,000 – exclusive of staff time – to develop the certification tests, and spends approximately \$325,000 annually to implement the tests. Initially, the financial burden for the program fell solely on DSHS, but in 1995 fees were instituted for test participants. Applicants are

²⁴ Interview with Jason Reed, Program Manager, Economic Services Administration, Department of Social and Health Services, Washington State, telephone interview by author, February 18, 2008.

²⁵ In order to ensure the quality of interpreting in languages other than the eight listed above, LTC developed a non-language-specific test and began screening interpreters in non-certifiable languages in 1996. This description of Washington State's program borrows heavily from Logan Futterer and Joa Carlson, “Promising Practices: Verification of Interpreter Competency in the Social Services Sector,” (Minneapolis: Office of Multi-Cultural Services, Hennepin County, 2008) and conversations and documents from Jason Reed, Program Manager, Economic Services Administration, Department of Social and Health Services, Washington State.

now charged \$30 to take the written portion of the interpreter test and \$45 for the oral portion. All interpreters taking the test are given the simultaneous interpreting portion of the test and are allowed to retake it for a fee of \$25 if they do not pass the first time. The testing fees for the non-certificate languages are \$30 for the written portion and \$45 per language for the oral section. Until 2009, the LTC program was staffed by three DSHS employees and used contracted proctors and graders to administer and grade the tests. Currently, there are no education requirements – either pre-certification or post-certification education – for test takers.

Due to budget shortfalls stemming from the 2008-09 recession, the LTC budget was cut in half and two-thirds of the LTC staff were laid off, leaving only one employee who administers the certification tests.²⁶ Testing sites were reduced from six to two sites and there has been some discussion that the State may move away from internally administered certification towards contracting out these tests.²⁷

The vulnerability of the LTC program to these cuts may contain important lessons for other program administrators. DSHS suffers from a free rider predicament: other state agencies encourage or require current and potential employees to pass the LTC test, but do not contribute funds towards test development, maintenance and administration. Thus, other state agencies benefit from the quality assurance of a language certification test without sharing any of the associated costs. And, although fees are collected for test administration, they are routed into the state's general fund and do not directly support the testing office. Ensuring the long-term viability of internally administered certification tests will likely involve models that share program costs across all agencies that benefit from the system or charge fees to test takers that can be used as program revenue.

b. Iowa: Partnering with Community Colleges to Certify and Train Interpreters

On a smaller scale than Washington State, the State of Iowa has developed and instituted a statewide program to ensure interpreters have the qualifications and competencies needed to effectively interpret for LEP individuals in legal, medical, and social service settings. In 2004, under the authority of Iowa Code section 216A.16, the State of Iowa created the Iowa Interpreter Program and placed it under the management of the Iowa Division of Latino Affairs (IDLA). The program is charged with creating a standard method to qualify Spanish/English interpreters for generalized and specialized purposes and to maintain a roster of individuals qualified to provide interpreter services.²⁸

The program's initial goal was to develop a mechanism for establishing a process to qualify Spanish/English interpreters for general and specialized interpretation. This includes establishing standards of practice and a code of ethics, developing an evaluation system, and creating an interpreter qualification system that is replicable and expandable to other languages.²⁹ The program

²⁶ Interview with Jason Reed, Program Manager, Economic Services Administration, Department of Social and Health Services, Washington State, telephone interview by author, February 18, 2008.

²⁷ *Ibid.*

²⁸ Iowa Interpreter Program. 2008. <http://www.iowalatinofairs.org/Pages/Interpreter.htm>

²⁹ Iowa Division of Latino Affairs. May 10, 2006.. *Administrative Rules: Latino Affairs Division.* pg 3. <http://www.iowalatinofairs.org/Interpreters/Interp%20PDF/AdminRules.pdf>

does not grant license or certification, but rather will “deem qualified” participants who meet all program requirements.³⁰

Iowa’s Interpreter Program was created with two levels of qualifications that applicants can attain: Qualified General Interpreter and Qualified Specialized Interpreter. Applicants for either designation must meet the following requirements: minimum age of 18 years, pass a criminal background check, possess a high school diploma or equivalent, and pass a language proficiency test in English and Spanish as well as a computer proficiency test.

Candidates for the “Qualified General Interpreter” designation must pass an approved language proficiency test as well as complete 150 contact hours through the program. A Qualified General Interpreter remains in good standing by demonstrating 30 contact hours of training every five years and adhering to the Code of Professional and Ethical Conduct for Interpreters. The second level of the program designates Qualified Specialized Interpreters who focus on a particular field of interpreting: legal, medical, and social services.

In 2006, the IDLA received a grant for \$250,000 from the US Department of Labor to develop an interpreter qualification program.³¹ Initially this funding was to be used for curriculum development; however, IDLA decided that it would be more cost-effective to partner with an institution that had an established curriculum in place.

In order to create a basis for certification for the Iowa Interpreter Program, the IDLA accepted bids from agencies who could demonstrate effective education and training programs in language competency, cultural competency, interpretation methodology, professionalism and etiquette, and expertise in specialized interpretation.³² One of the applicants, Des Moines Area Community College (DMACC), already had in place an interpreter and translator associate degree and certificate program with a requirement of 15 credits for a general interpreter and 16 credits for a specialized interpreter certificate.³³ Because the program and curriculum were already in place, DMACC was approved to deliver the IDLA approved curriculum. Classes are offered at the DMACC campus and remotely through Iowa Communications Network (ICN), a fiber-optic network that brings live, full-motion video to classrooms, libraries, and federal and state government offices.³⁴ ICN broadcasts require a minimum of three students enrolled in the class. Upon successful completion of the general interpreter training program, qualified interpreters are included on the Iowa Statewide Interpreter Roster, which is maintained by the IDLA and posted on the IDLA website.

Because participants in the Iowa Interpreter Program are students of DMACC, the cost of participating includes tuition, books, and other student fees. The cost for each participant is approximately \$1,600.³⁵ However, because of the partnership between DMACC and the State of Iowa, part of these costs – specifically tuition fees – are currently covered by scholarship funds from

³⁰ Iowa Division of Latino Affairs. August 10, 2006. *Frequently Asked Questions*.

<http://www.iowalatinofairs.org/Interpreters/Interp%20PDF/Frequent%20Asked%20Questions.pdf>

³¹ Piper, Michael. Des Moines Area Community College. March 25, 2008. Phone interview.

³² Iowa Division of Latino Affairs. May, 9, 2006. *Iowa Interpreter Program Summary*.

<http://www.iowalatinofairs.org/Interpreters/Interp%20PDF/OverviewofInterpreters%20Program.pdf>

³³ Piper, Michael. Des Moines Area Community College. March 25, 2008. Phone interview.

³⁴ Iowa Division of Latino Affairs. *ITR Course for General Interpreters*.

<http://www.iowalatinofairs.org/Pages/InterpreterSteps.htm>

³⁵ Iowa Division of Latino Affairs. August 10, 2006. *Frequently Asked Questions*.

<http://www.iowalatinofairs.org/Interpreters/Interp%20PDF/Frequent%20Asked%20Questions.pdf>

the IDLA through the unused curriculum development grant funds from the Department of Labor.³⁶ In fiscal year 2008, IDLA received \$81,120 from the Department of Labor and graduated 49 students from the program.³⁷ According to the IDLA, as of 2008, there are 71 qualified interpreters in Iowa who have met 90 percent of phone, e-mail, and walk-in requests for interpreters.³⁸

IDLA, DMACC, and the Iowa Commission on Asian and Pacific Islanders are currently discussing possible expansion of the program to some Asian languages.³⁹ The IDLA, through partnering with DMACC, was able to utilize the infrastructure and expertise of an education provider with an existing interpreter certificate program. By providing tuition assistance, the IDLA was also able to attract participants and create buy-in from interpreters who wish to attain additional training and formal recognition of their skills. The partnership also allows DMACC to ensure that students who complete its program are included on the Iowa Interpreter Roster.

3. Training for Bilingual Employees and Frontline Workers

In addition to certification, localities can provide ongoing staff training as a means to standardize LEP procedures and to teach staff how to work with LEP individuals. This can be particularly important in offices that have recently developed LEP policies or language access programs. Often, trainings are geared either to bilingual employees or to frontline workers. Bilingual employees benefit from standardized training because though they may know the language, they may not be familiar with technical terminology relevant to the agency. Frontline workers must also learn how to identify LEP individuals and how to access and work with an interpreter.

In the case of bilingual employees, training can assist employees familiarize themselves with technical terminology, observance of ethical codes, and cultural competency. Bilingual employee training can be comprised of the following elements:

- Standards of practice;
- Cultural competency;
- Vocabulary development (in some cases specific to agency practice);
- Familiarity with a Code of Ethics and Conduct; and
- Role-playing.

In some cases, the development of bilingual dictionaries or occupation-specific glossaries complements bilingual employee trainings.

All employees – particularly front-line workers – can benefit from ongoing trainings that focus on how to interact with LEP individuals. These training can assist workers:

- Gain knowledge about available language access services;

³⁶ Piper, Michael. Des Moines Area Community College. March 25, 2008. Phone interview.

³⁷ Iowa Division of Latino Affairs. *Performance Report: Performance Results Achieved for Fiscal Year 2008*. http://www.dom.state.ia.us/planning_performance/reports/FY08/NEW_reports/FY08HumanRights-LatinoAffairs.pdf

³⁸ *Ibid.*

³⁹ Piper, Michael. Des Moines Area Community College. March 25, 2008. Phone interview.

- Learn how to identify and work with LEP individuals;
- Procure language access services;
- Interact and make optimal use of bilingual co-workers; and,
- Develop cultural competency.

As part of Hennepin County's LEP Plan, their Human Services, and Public Health Department (HSPHD) designed a training program for any staff member who interprets as part of his/her job. Staff interpreters, bilingual staff, intermittent staff, interns, and volunteers are encouraged to attend these training sessions. The goal of the program is to ensure participants understand the function, role, and tasks of an interpreter as well as demonstrate the necessary ethical and competency standards required of a qualified interpreter. Although created by HSPHD, the training program is open to employees working for the county government as well as those in the medical, social service, and legal fields.

The training, known as the *Introduction to the Ethics and Competencies of Interpreting*, is an eight-hour training session, divided between an orientation to interpreting and a review of Hennepin County's ethical and competency standards for interpreters. The training concludes with a post-test where participant must score 75 percent or higher. While not specific to social service interpreters, this training provides participants with interpreting scenarios based on the delivery of social services, as well as legal, medical, and general government services.

The curriculum benefited from the input of a committee of Hennepin County staff representing various service areas. Once the curriculum design was approved, trainers from HSPHD Staff Development began training and testing participants once a quarter. Currently, two trainers present the training and one HSPHD staff member coordinates the registration and maintains the evaluation results of the program as a part of her larger duties. Initially, the training was only offered to Hennepin County staff but it is now available to all contracted interpreting service vendors in order to ensure all interpreters used by Hennepin County departments are competent.

This *Introduction to the Ethics and Competencies of Interpreting* training is one part of four-pronged approach to ensure interpreter competence. A second requirement is a test of English language skills through the County's Human Resources language assessment evaluation process. The participant's target language(s) are also tested. Lastly, Hennepin County interpreters are oriented to common business vernacular and terms they will encounter when interpreting in their particular service area.

Despite higher demand, Hennepin County only provides the training sessions on a quarterly basis. The sessions are first made available to new staff members and then opened up to contracted interpreter vendors. Contracted vendor interpreters are not given immediate access to the *Introduction to the Ethics and Competencies of Interpreting* training, as most vendor agencies provide some sort of foundation training to their interpreters. Tracking successful completion by training participants is accomplished by creating a simple database to record the languages spoken, test score, or other information as needed. Once the planning and design process was complete, and minor adjustments made to the delivery of the curriculum, the resources needed to sustain Hennepin County's program have been minimal. Smaller government agencies and private service providers may find that creating a program similar to Hennepin County's is a manageable and cost-effective method of ensuring the competence of the agency's interpreters.

VI. Program Monitoring and Evaluation Practices

In addition to monitoring intermediate outcomes such as the number of LEP individuals enrolled or numbers of LEPs accessing services, agencies can also evaluate the actual experience of accessing services from the perspective of an LEP customer. Comment cards in multiple languages that are easily available in a waiting room or periodic customer satisfaction surveys are tools that can be used to assess whether LEP individuals are satisfied with the level of service provided to them. Agencies such as Wisconsin's Department of Health and Family Services maintain partnerships with local community-based organizations and may rely upon these connections for reports of inadequate language access or other language-related complaints.⁴⁰

One innovative approach has been the use of “secret shoppers” in evaluating whether a facility is accessible to LEP individuals. Secret shoppers are unannounced visitors who assess an agency's accessibility to LEP individuals by observation or by posing as LEP individuals who are in need of service. Typically used in the private sector to assess customer satisfaction, secret shopper programs have been adopted to assess and improve public agencies, most recently by the City of New York's Customer Service Group of the Mayor's Office of Operations (CSG).

Established by Executive Order 115 on May 15, 2008, the goal of CSG is to monitor and improve customer service using a centralized, strategic approach, through cooperation and coordination among City agencies.⁴¹ In 2008, CSG developed and implemented the [Customers Observing and Research Experiences \(CORE\) program](#), a secret shopping program that assessed the quality of service in more than 40 city agencies across the five boroughs.⁴² In this pilot program, trained observers provided quantitative and qualitative assessment across five key areas of customer service:

1. Language Access – Could customers obtain services in their preferred language?
2. Site & Service Accessibility – Was the facility easy to find?
3. Queuing Experience & Service Transparency – Was it easy to know where to go, what to do and what documents were needed to obtain services?
4. Facility Conditions – Was the facility clean and well-maintained?
5. Staff Customer Service – Was staff courteous and knowledgeable?

Any city agency that had interaction with the public and had a walk-in facility was assessed by members of a trained team of 22 staff and 5 full-time unpaid interns.⁴³ Observers were trained to represent real customers and requested actual services, information and referrals from more than 300 walk-in facilities. In some cases, bilingual observers pretended to be monolingual LEP

⁴⁰ Interview with David Lopez and David Duran, Department of Health and Family Services, Wisconsin, telephone interview by author, February 20, 2008.

⁴¹ Mayor's Office of Operations, Customer Service Group, “Customers Observing and Researching Experience [CORE] Executive Summary,” September 2008, available at http://home2.nyc.gov/html/ops/downloads/pdf/agency_services/core_executive_summary.pdf.

⁴² Mayor's Office of Operations, Customer Service Group, *Customers Observing and Researching Experience [CORE] Final Report*, September 2008, available at http://home2.nyc.gov/html/ops/downloads/pdf/agency_services/core_final_report.pdf

⁴³ Interview with Jeanette Moy, Senior Policy Advisor, Customer Service Group, Mayor's Office of Operations, telephone interview by author, February 26, 2008.

individuals seeking help.⁴⁴ Training included two weeks of practicing evaluations and normalizing results across observers. All assessments were conducted in pairs.⁴⁵

Quantitative scoring was captured in real time by CORE observers through a BlackBerry-based form with GPS tracking.⁴⁶ It included 53 data points across the five key assessment areas. Observers evaluated walk-in facilities on a 4.0 scale, rating facilities as poor, fair, good, or excellent. The quantitative assessment of language accessibility evaluated:

- The availability of multilingual signage;
- The availability of translated materials;
- Notice of interpretations services; and
- The type of interpretation available upon request.⁴⁷

Each agency would then receive a score for language access according to the 4.0 scale and the overall score was then calculated by providing equal weighting (20 percent) for each assessment area.⁴⁸

The CORE program found that historically, agencies have not focused on customer support in multiple languages and consequently, the majority of sites visited provided few resources for LEP customers, with a 1.9 rating on a 4.0 scale.⁴⁹ This was the lowest assessment across all five key areas of customer service.⁵⁰ For the majority of sites visited, translated signage or materials were either minimal or non-existent and Spanish was most often accommodated for sites providing multilingual signage despite the fact that the top six languages spoken in New York include Chinese, Russian, Korean, Italian, and French Creole.⁵¹ The assessment found little or no consistency in the types of translated materials provided by agencies across their facilities and interpretation services were also limited. Even when interpretation resources were available (telephonic interpretation, bilingual employees, etc.), LEP customers were sometimes asked to bring a family member or friend to interpret on their behalf. Fellow customers were also asked to serve as interpreters.⁵²

The costs of the CORE program were minimal.⁵³ Because the CORE program used existing staff, unpaid interns and borrowed technology from the Street Conditions Operations Unit (SCOUT) - a team of City inspectors who identify and report visually identifiable quality of life conditions like potholes, graffiti, and defective sidewalks – there was no additional cost to piloting the CORE program other than staff time.⁵⁴

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ Mayor's Office of Operations, Customer Service Group, "Customers Observing and Researching Experience [CORE] Executive Summary," September 2008, available at http://home2.nyc.gov/html/ops/downloads/pdf/agency_services/core_executive_summary.pdf.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ Mayor's Office of Operations, Customer Service Group, *Customers Observing and Researching Experience [CORE] Final Report*, September 2008, available at http://home2.nyc.gov/html/ops/downloads/pdf/agency_services/core_final_report.pdf

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ Interview with Jeanette Moy, Senior Policy Advisor, Customer Service Group, Mayor's Office of Operations, telephone interview by author, February 26, 2008.

⁵⁴ *Ibid.*

The CORE program generated significant data on the language accessibility of agencies, creating a unique opportunity to draw attention to the lack of services available to LEP individuals. This was especially important given that Mayor Bloomberg signed Executive Order 120 requiring citywide language access while the secret shopping program was underway. Results of the program were widely reported and consequently, agencies felt a need to respond to their rating. While city officials found the snapshots of services by testers to be useful and provocative, they also note that CORE results should be interpreted in a broader context. More thorough evaluation would involve follow-up visits to sites over time, and interaction with a larger sample of staff at each site.⁵⁵

Offices in Wisconsin and Washington State also perform periodic reviews of language access services in relevant state agencies. In Washington State, the Quality Assurance review process within DSHS is designed to measure the accuracy of field or Community Service Offices (CSO) in applying cash and federal food stamp program eligibility requirements and payments. During the management evaluation, the quality assurance office:

- reviews whether adequate notice (fully translated) was given prior to termination for cases of LEP individuals;
- verifies that translated self-serve documents, including applications and the client Rights & Responsibility document, are available in the lobby for sites serving catchment areas where the LEP caseload exceeds 5 percent of the CSO caseload;
- reviews ten to 20 LEP applications completed by the office, confirming that relevant correspondence has been translated and verifying that documents provided by LEP clients have been translated to English;
- verifies the “Point to Your Language” poster is at the reception counter;
- reviews lobby signs to be sure they provide clear directions for LEP clients;
- verifies that a CSO’s Customer Service Center automated phone message system supports languages exceeding the 5 percent threshold;
- determines which interpreter services are used by the CSO while working with clients via phone and in person;
- monitors overall customer service provided to LEP clients by observing interactions between staff and LEP clients at the reception counter or during interviews.⁵⁶

Unlike the City of New York’s CORE program, DSHS’s quality assurance review is announced.

Wisconsin’s Department of Health and Family Services, in partnership with Wisconsin’s Department of Workforce Development, performs announced and unannounced visits during their review of civil rights compliance and equal opportunity.⁵⁷ As with their self-assessment checklist, the field office reviews evaluate all aspects of equal access to services wherein language access is only part of the overall assessment. The department uses a [monitoring instrument](#) that evaluates multiple areas of language access including data collection, the display of posters informing of client rights and responsibilities in multiple languages, and the availability of interpreters.⁵⁸ Wisconsin has

⁵⁵ *Ibid.*

⁵⁶ Interview with Jason Reed, Program Manager, Economic Services Administration, Department of Social and Health Services, Washington State, telephone interview by author, February 18, 2008.

⁵⁷ Interview with David Lopez and David Duran, Department of Health and Family Services, Wisconsin, telephone interview by author, February 20, 2008.

⁵⁸ *Ibid.*

benefited from collaborations between state agencies in evaluating field offices. These partnerships allow the department to save resources and minimize duplicative assessments of field offices.

VII. Conclusion

Evaluation of the quality and sufficiency of language access services cannot happen without guidance, funding, or leadership. In this report, we have highlighted several innovative and promising evaluation practices used by government agencies to build and strengthen their capacity to serve LEP populations. For example, some social services agencies use monitoring instruments such as checklists to ensure that their language access programs are comprehensive, test and train their workers to ensure ongoing quality in the delivery of services to LEP populations, and deliberately assess their program from the perspective of an LEP individual. As agencies continue to develop their language access programs, ongoing and consistent measurement of the results and quality of language access programs will be essential to understanding whether LEP individuals have been afforded meaningful access to government services.