

***Translating Into Success: Key
Features of U.S. State & Local
Language Access Laws and Policies***

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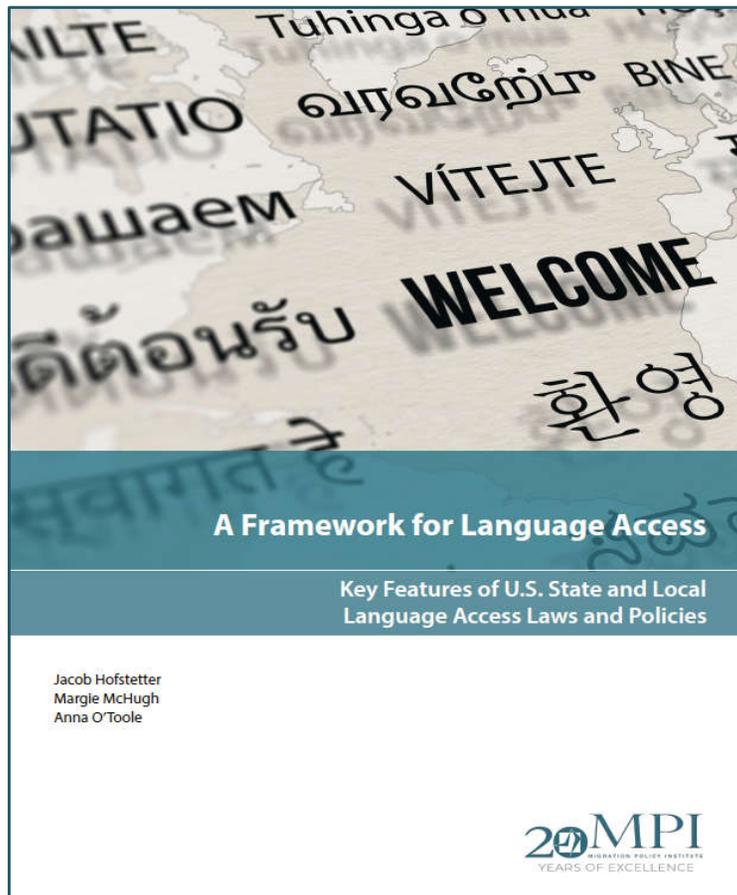
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Today's Release



A Framework for Language Access: Key Features of U.S. State and Local Language Access Laws and Policies

By Jacob Hofstetter,
Margie McHugh and
Anna O'Toole

<https://bit.ly/langaccess21>



Speakers



Margie McHugh

Margie McHugh is Director of MPI's National Center on Immigrant Integration Policy. Ms. McHugh's work focuses on education quality and access issues for immigrants and their children, from early childhood through K-12 and adult, postsecondary, and workforce skills programs. She also leads the Center's work seeking a more coordinated federal response to immigrant integration needs and impacts, and more workable systems for recognition of the education and work experience immigrants bring with them to the United States.



Jacob Hofstetter

Jacob Hofstetter is an Associate Policy Analyst at the Migration Policy Institute (MPI) National Center on Immigrant Integration Policy, where he conducts research and policy analysis to promote the long-term civic, economic, and linguistic integration of immigrants and refugees, with a focus on adult education and workforce development policy.



MPI National Center on Immigrant Integration Policy (NCIIP)

NCIIP's Primary Areas of Work:

- Education and Training:
 - ✓ Early Childhood
 - ✓ K-12
 - ✓ Adult Education and Workforce Development
- Language Access
- Governance of Integration Policy

See more of our research at:
www.migrationpolicy.org/integration



Session Outline

- Review of the right to language access
- Introduction to state and local laws and policies
- Description of laws and policies analyzed
- Discussion of findings: agency responsibilities and policy administration
- Q & A



The Right To Language Access

- All entities receiving federal funding must ensure “**meaningful access**” to services for Limited English Proficient (LEP) individuals.
- This right flows from Title VI of the Civil Rights Act of 1964, Supreme Court decisions, and Executive Order 13166.
- In order to better comply with these regulations, ensure access to services for LEP residents, and communicate with the public in contexts related to health and safety, many state and local governments have adopted their own language access laws, ordinances, executive orders, and policies.



State and Local Language Access Laws and Policies

- These laws and policies contain many common features and innovative elements that can aid those evaluating their own existing language access measures as well as those planning to develop or advocate for new language access policies.
- These common features include:
 - Provisions addressing the duties of agencies and their staff to deliver assistance to LEP individuals (Agency Responsibilities).
 - Broader provisions that create administrative capacity across agencies and governments (Policy Administration).
- Administrative infrastructure and governance are key to implementation, fidelity, and durability.



Language Access Laws and Policies Analyzed

- To be included, laws and policies had to be **legally binding** and **apply to most, if not all, agencies** providing services to the public in a state or local government.
- 45 laws, ordinances, executive orders, and policies from 40 states and localities:
 - States (e.g., California, Hawaii, Washington, D.C.),
 - Counties (e.g., Montgomery County, MD; Nassau County, NY; Multnomah County, OR),
 - Cities and Towns (e.g., Boston, Chapel Hill, Houston, New York, Seattle, Worcester).
- Analysis does not examine efficacy or implementation of policies.



Features Addressing Agency Responsibilities

- Specific obligations and tasks assigned to departments and agencies within a state, county, or city by language access laws and policies:
 - *Translation of vital documents and websites*
 - *Interpretation and bilingual staff*
 - *Accuracy and quality control measures for language services*
 - *Training of agency staff on how to provide services to LEP individuals*
 - *Public notice of right to language access and availability of interpretation and translation*
 - *Appointment or designation of language access coordinators*
 - *Agency language access plans*

- Familiar practices in many state and local contexts.



Features Addressing Policy Administration

- Policy administration structures **create accountability** for agencies, **provide capacity-building measures**, and establish infrastructure for **centralized planning and coordination** on language access:
 - *Offices or individuals designated to provide oversight*
 - *Advisory councils and technical assistance bodies*
 - *Accountability mechanisms and complaint procedures*
 - *Data systems and population tracking*
 - *Involvement of community members and groups in planning, implementation, and evaluation*
 - *Budgetary planning or allocation for provision of language services*



Oversight and Technical Assistance

- Many laws and policies assign cross-agency oversight responsibility to an office, team, or individual.
 - *Monitoring implementation, ensuring compliance, and coordinating efforts across agencies.*
 - *Often offices responsible for New Americans, immigrant affairs, or intragovernmental administration.*
 - *E.g. San Francisco Office of Civic Engagement and Immigrant Affairs (OCEIA)*

- Creation or designation of advisory councils or technical assistance bodies to guide and support agencies in putting language access procedures into place.
 - *E.g. Seattle Office of Immigrant and Refugee Affairs*



Community Involvement

- Some laws and policies require the involvement of community members and advocates for LEP communities in the planning, implementation, and/or evaluation of language access policies.
- May include incorporating groups representing LEP communities into governance structures.
 - *E.g. Role of the D.C. Language Access Coalition*
- Soliciting public feedback on language access service quality.



Accountability Mechanisms and Data Tracking

- Requirements to collect data to track size of LEP communities and use of agency services.
 - *E.g. New York City's Local Law 30.*

- Many laws and policies enact measures to ensure agencies and their staff are adhering to language access provisions through compliance plans, reports to legislatures or executives, and complaint procedures.
 - *E.g. Compliance plans to Mayor's Office of New Americans required by Chicago's law.*
 - *E.g. Complaint procedures in Oakland's ordinance.*



Reactions? Questions? Clarifications?



- Feel free to share any insights or experiences with the implementation of such laws and policies.
- What features of these laws and policies have proven most relevant or useful in improving language access in your experience?
- There is no voice Q&A. To ask a question of the panelists:
 - Use Q&A function
 - Write events@migrationpolicy.org



Thank you—let's stay in touch!

Margie McHugh

mmchugh@migrationpolicy.org

Jake Hofstetter

jhofstetter@migrationpolicy.org

Reporters can contact

Michelle Mittelstadt

mmittelstadt@migrationpolicy.org

Coming soon: Practitioners Corner blogs from states and localities featured in this report.

<https://www.migrationpolicy.org/programs/national-center-immigrant-integration-policy>

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