

OLA Quarterly

Official Newsletter of the Office of Language Access, State of Hawaii

'O ka'ōlelo ke ola - Language is Life

Message from the Executive Director

Fall 2008, Issue No. 4



Celebrating Language Access Month

The past quarter has been a very busy one, especially due to the preparations for, and celebration of, September as Language Access Month in Hawai'i. The celebration included a Gubernatorial Proclamation, language access messages in State and County pay stubs, radio PSAs on Limited English Proficiency (LEP) rights, and the well-attended Forum on "Civil Rights and Language Access" at the University of Hawai'i and the Community Fair at the Capitol Rotunda. Staff also presented on two panels at the 2008 Federal Interagency Conference on LEP in Washington, DC and held productive meetings with various language access

agencies in Washington, DC and New York City. Locally, staff met with state and nonprofit agencies and provided technical assistance on language access plan implementation, data reporting, and other issues. The Legislature-requested feasibility study on the establishment of a centralized language access resource center has been started. Finally, the long-awaited Resolution Agreement between Hawai'i's Department of Human Services (DHS) and the U.S. DHHS, Office of Civil Rights on the implementation of language access requirements was signed. The agreement will be a model for states in meeting their obligations under federal law and in ensuring improved language assistance for LEP individuals in Hawai'i.



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FREE Language Access Webinar, October 16, 2008

SAVE THE DATE! The Migration Policy Institute will host its first webinar/conference call on language access on October 16, 2008, 9:00 a.m. to 10:00 a.m. HST. Two topics will be presented: *Use of Multilingual Staff*; and *Citywide Language Access by Executive Order*. If you missed the OLA's First Language Access Conference earlier this year, this is a great opportunity for you to learn about language access and connect with language access practitioners in other states. To register, please contact Laureen Laglagaron at llaglagaron@migrationpolicy.org. The number of participants is limited, so register now!

DHS Agreement reached to improve language assistance services for LEP persons in Hawai'i

DHS and the U.S. Department of Health and Human Services' Office of Civil Rights signed a voluntary Resolution Agreement to ensure improved language assistance for LEP residents in Hawai'i under the Federal law. Under the agreement, the DHS will renew its commitment and efforts to provide language access, including conducting an annual assessment of frequently encountered languages and of LEP individuals who seek language assistance in accessing its services, programs and activities statewide; translating vital written documents; notifying LEP persons of the availability of language assistance; and providing oral interpretation services.

As mentioned above, the agreement will serve as a model for states in meeting their obligations to provide equal access and help improve access for LEP persons to DHS' services and in effect, help improve Hawai'i's ability to prepare for emergencies and respond to disasters. The agreement is in line with Governor Lingle's administration's commitment to improving services for our LEP residents. "This new agreement with the federal government furthers the state's efforts to ensure that no Hawaii residents are denied their right to critical services because they have difficulty speaking or reading English," Governor Linda Lingle said. To read the Agreement and Press Release, go to <http://www.hhs.gov/ocr/resagreehawaii.html>

"Those who use state services are often the most vulnerable and require the most assistance. Language should not be a barrier to obtaining food, housing, job training, medical coverage or other necessities."

Governor Linda Lingle

OLA Staff Speak at Kapiolani Community College

OLA Research Analysts, Kendall Zukeran and Jeremy Low, were given the opportunity to speak at Kapiolani Community College's Faculty/Staff meeting on August 21, 2008. The KCC cafeteria was packed as faculty and staff were preparing for the beginning of the new Fall semester. The OLA's representatives informed the attendees of the importance and requirements of Hawai'i's Language Access Law and how KCC will play an important role in assisting the State as well as the limited English proficient population in Hawai'i.

To better assist the State of Hawai'i in gathering needed information on language access services, Kapiolani Community College is proactively working with the OLA and will implement a data collection tool at the Kekaulike Information and Service Center (KISC) this fall. This center is a multi-purpose one-stop office, serving all the students and community. The data collected from the college over the course of time, will help Hawai'i move another step closer to the challenging and long-term vision of having "language access for all" here in the islands.



2008 Federal Interagency Conference on LEP

On September 3, 2008, the Department of Justice (DOJ) held its annual LEP conference in Washington, D.C. The conference provided an opportunity to share with and learn from leaders in the field who provide language access, including various federal, state and local officials; recipients of federal funding; and non-profit organizations. The Honorable Grace Chung Becker, Acting Assistant Attorney General for the DOJ's Civil Rights Division - who provided opening remarks earlier this year at the OLA's Conference on

Language Access - also provided opening remarks at the federal conference. Plenary sessions were held on the importance of addressing LEP issues in times of crisis, including preparing for and recovering from potential emergencies. In addition, concurrent sessions were held, which included topics on implementation of an effective language access plan, promising practices for multilingual websites and the advantages of collaborative solutions. Jun Colmenares and Gerald Ohta (DOH Language Access Coordinator) made presentations as guest speakers in the panel discussion for the sessions on *State and Local Language Access Laws 101* and *The Nitty Gritty of Implementing Cross-Cutting Language Access Laws*. For more information, visit http://www.lep.gov/whats_new/whatsnew.html.

City of Oakland Sued for Failure to Comply with Language Access Law

On September 15, 2008, four non-profit groups, Family Bridges, Inc., Organization of Chinese Americans-East Bay Chapter, The Spanish Speaking Unity Council, and California ACORN, sued the City of Oakland (California) alleging failure of the city to meet its obligations under Oakland's **"Equal Access to Services Ordinance."**

The ordinance requires city departments to provide recorded telephonic messages in multiple languages; translate key documents; and use sufficient bilingual staff in public contact positions for languages where the population served reaches 10,000 or more. Departments and agencies are also required to submit annual compliance plans that reflect the collection of critical data and to assess the data in 16 key areas.

The Oakland City Council unanimously passed the ordinance in 2001. The City only provided three incomplete plans and failed to provide four plans during the past seven years. The lawsuit requests issuance of a writ to compel the City to comply with the law and to meet its mandatory obligations under the law.

"The idea is important, but simple: Oakland residents should not be denied basic and potentially life-saving city services, just because they are still learning to speak English and cannot yet communicate their needs in English."

Former City Council Member, Danny Wan

Highlights from Language Access Month

Forum: “Civil Rights & Language Access”

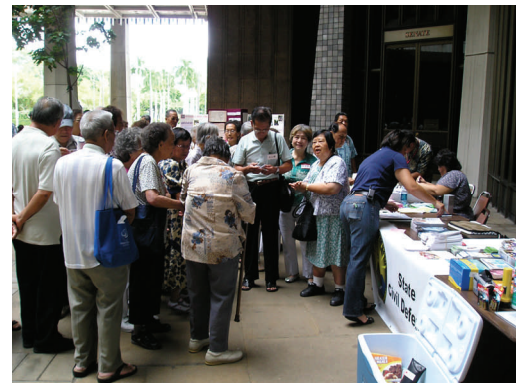


The OLA and co-sponsors, the University of Hawai'i School of Law and Matsunaga Institute of Peace, coordinated a Language Access Forum at the University of Hawai'i at Manoa's Art Auditorium on September 15, 2008. The forum brought together a distinguished panel of speakers such as Senator Fred Hemmings, Minority Leader of the Hawai'i State Senate; Professor Mari Matsuda, Professor of Law at the University of Hawai'i, William S. Richardson School of Law; Jennifer Rose, Gender Equity Specialist at the University of Hawai'i, Office of Gender Equity; and Pat McManaman, former Chief Executive Officer of Na Loio - Immigrant Rights and Public Interest Legal Center.

The event was moderated by Bill Hoshijo, Executive Director of the Hawai'i Civil Rights Commission. The speakers debated the academic, legal and civil rights aspects of language access. The forum was very educational and provided stimulating commentaries from those on both sides of this issue.

Community Fair at the State Capitol

On September 26, 2008, the Office of Language Access along with co-sponsors, the Interagency Council on Immigrant Services and State Civil Defense Division, held a Community Fair at the Hawai'i State Capitol Rotunda. The fair was the culmination of “Language Access Month” activities and included community and non-profit booths, food, guest speakers, giveaways and the distribution of Language Identification and Emergency Cards. State Civil Defense had the cards translated into 16 different languages. The cards are helpful for Limited English Proficient (LEP) persons to utilize in times of emergency.



The Community Fair enabled the public to learn more about language access resources and provided an opportunity for various participating agencies to share information about their services and programs.



FREE DVD on Language Access

“*Childhood in Translation* is a documentary from filmmaker Robert Winn that recounts how language barriers pose risks to the well-being of immigrants and their children. Through the voices of the children themselves, as well as the perspectives of their parents, service providers, and advocates, this documentary sketches in personal terms the tremendous need that exists for language access services in an increasingly diverse America.

The DVD, which is being provided without cost to advocates, service providers, and others, includes three short modules that demonstrate the need to increase funding for language services; and can help train health care workers, teachers, firefighters, police, and other front-line workers about the importance of truly informed consent for the limited English proficient.” *Migration Policy Institute (MPI)*. You can order your free DVD from MPI at http://www.migrationinformation.org/integration/language_portal/film_childhood.cfm



Best Practices (Part II): Six Additional Steps to Increasing Access for LEP Residents ~ Essential Elements of High-Quality Language Access Programs

The Summer 2008 OLA *Quarterly* introduced the first six steps to “Increasing Access for LEP Residents.” The second part below, shares additional tips in this process.

II. Implement a Language Access Plan

- A. Provide training for the agency staff with topics such as:
 - The agency’s policies and procedures for obtaining language assistance
 - Cultural competency issues
 - Interactions with LEP individuals and interpreters
- B. Translation of Written Documents
 - Disseminate language access plans to agency staff and to broader audiences
 - Develop procedures for ensuring that translations are accurate and understandable by the target population
 - Establish procedures for identifying vital documents
 - Update and keep translated documents current
- C. Provide ongoing monitoring, feedback and improvement
 - Obtain feedback from community organizations, LEP individuals, the OLA, etc.
 - Ensure that staff are available to monitor and provide technical assistance

III. Conduct Ongoing Outreach to LEP Residents

- A. Publicize agency programs through community sources and ethnic media

IV. Build External and Internal Support for Equal Access Policies

- A. Create an agency culture that values equal access services for LEP individuals
- B. Develop adequate funding to support good program practices

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FREE Webinar: Understanding Census Bureau Data on Language and English-Speaking Proficiency

Are you looking for data to help assess the languages used by your LEP clients? Census Bureau experts will conduct a series of free webinars on using Census data to identify LEP persons in your area and their languages. The webinars are on Thursdays at 8:00 a.m. on October 30, 2008 and at 9:00 a.m. on November 6, 13, and 20, 2008. To sign up, please send an email to CRT.LEP@usdoj.gov with the subject line “Census Webinar” by Tuesday, October 21, 2008 and provide your name, phone number, email address, and agency or organization affiliation.

New OLA Staff

We’re pleased to welcome Gail McGarvey as our new Clerk. Gail joined the OLA in August and brings a wealth of experience serving the State of Hawai‘i.

Dates to Remember

	October 16, 2008	FREE MPI Webinar/Conference call on language access, 9:00a.m.-10:00a.m., HST.
	October 30, 2008	FREE DOJ Webinar on Census Data on LEP residents, 8:00a.m., HST.
	November 3, 2008	Vital Documents Survey (<i>state agencies submit electronically to the OLA</i>)
	November 12, 2008	Language Access Advisory Council Meeting, DLIR, Room 320, 9:00 a.m.-10:30 a.m.
	November 18, 2008	Language Access Coordinators’ meeting, DLIR, Rooms 310-314, 10:00a.m.-12:00p.m.
	January 5, 2009	Survey of Public Contact Positions (<i>state agencies submit electronically to the OLA</i>)
	February 15, 2009	Initial Reporting Tool Report (<i>state agencies submit electronically to the OLA</i>)