

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

JOSH GREEN
LT GOVERNOR
STATE OF HAWAII

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P O BOX 1879
HONOLULU, HAWAII 96805

**DEPARTMENT OF HAWAIIAN HOME LANDS
LANGUAGE ACCESS PLAN FOR FISCAL YEAR 2023**

INTRODUCTION

Presidential Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" was created to "... improve access to ... federally assisted programs and activities for persons, who as a result of national origin, are limited in their English proficiency ...". Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d ("Title VI") serves as the basis for Executive Order 13166. Title VI provides that no person shall "on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Accordingly, the Department of Hawaiian Home Lands (DHHL) seeks to implement the initiatives set forth in this Language Access Plan (Plan) to meet its obligations under Title VI. The purpose of this Plan is to take reasonable steps to ensure persons with limited English proficiency (LEP) gain meaningful access to DHHL services and programs. This Plan is DHHL's commitment to provide essential and meaningful access to LEP customers.

DEFINITION OF LIMITED ENGLISH PROFICIENT PERSON (LEP PERSON)

For the purpose of this Plan, the definition of "Limited English proficient person" means an individual who, on account of national origin, does not speak English as the person's primary language and self identifies as having a limited ability to read, write, speak, or understand the English language. Such persons may be eligible to receive language assistance with respect to a particular service, benefit, or encounter provided by DHHL.

RELEVANT FACTORS

In determining how to provide effective and meaningful access to LEP customers, the U.S. Department of Labor has established the following four guidelines (68 FR 32290, 32294, May 29, 2003):

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program;
2. The frequency with which LEP persons come into contact with the program;
3. The nature and importance of the program, activity, or service provided by the program to LEP persons; and

4. The resources available to the programs and the costs of providing interpretation and/or translation services.

Based on the aforementioned factors, DHHL implements the following Plan to take reasonable steps to ensure LEP persons gain meaningful access to DHHL services. Decisions regarding oral interpretation and written translation services under the following Plan shall be guided by the four-factor analysis cited above.

DEPARTMENT OVERVIEW

The Department of Hawaiian Home Lands (DHHL) is governed by the Hawaiian Homes Commission Act of 1920, enacted by the U.S. Congress to protect and improve the lives of native Hawaiians. The act created a Hawaiian Homes Commission to administer certain public lands, called Hawaiian home lands, for homesteads. The Department's mission is to serve the beneficiaries of the Hawaiian home lands trust by developing and delivering its lands. See Exhibit A for the Department of Hawaiian Home Lands, Summary of Services.

DATA ASSESSMENT

As background information, DHHL serves the beneficiaries (individuals who have at least 50 percent Hawaiian blood) with an eligibility requirement of being at least 18 years of age. According to DHHL's 2020 annual report, there are 9,933 homestead lessees and 28,788 applicants. This total number of 38,721 native Hawaiians are eligible to contact DHHL for programs and services.

Based on the statistics from the 2010 to 2014 American Community Survey data, the Hawaiian-speaking population had a high proficiency of speaking English very well and well at 99 percent. The report states that the key determinant of a person's language use at home was the person's nativity. The finding indicates that almost all of the Hawaiian-speaking population were native born, United States citizen at birth in Hawaii. Therefore, they do not meet the definition of Limited English Proficient Person.

Data from DHHL's semi-annual LEP reporting tool from the period of January 1, 2017, to December 31, 2021, indicate there has been no Hawaiian oral interpretation or written translation requests for DHHL services.

Lastly, with regards to the frequency with which LEP persons come in contact with DHHL for services, the Contact Center received 20,714 calls in calendar year 2021. Of the total inquiries, there were no requests for Hawaiian language assistance.

Consequently, based on this information, DHHL has determined that the proportion of LEP persons served or encountered is less than one percent.

SUMMARY

Notwithstanding the data assessment, DHHL recognizes the obligation and importance to make reasonable efforts to meet the Hawaiian language needs of LEP customers who seek services or information from DHHL. This DHHL Plan is comprised of the following components:

1. Compilation of a Comprehensive Dual-Lingual Listing of DHHL Employees
2. Notification of Interpretation and Translation Services to LEP Customers
3. Interpretation and Translation Services to LEP Customers
4. Designation of a Plan Coordinator
5. Training
6. Complaint Process
7. Updates to the Language Access Plan during COVID-19 Emergency

LANGUAGE ACCESS PLAN

The Plan Coordinator has established a procedure for each DHHL division to report new employees who speak Hawaiian or American Sign Language (ASL). Division offices will compile the volunteered data on a yearly basis and provide a report to the designated Plan Coordinator by no later than December 1 annually. The responsibilities of the Plan Coordinator are explained in the section below.

COMPILATION OF A COMPREHENSIVE DUAL-LINGUAL LISTING OF DHHL EMPLOYEES

To effectively service LEP customers who speak Hawaiian and American Sign Language, the DHHL ascertained what language skills and resources may already be available through its employees.

Attached as Exhibit B is an updated listing of all DHHL employees who speak the Hawaiian or American Sign languages. This list includes information volunteered by DHHL personnel including, among other things, the Hawaiian language and/or American Sign Languages that the DHHL employee can speak, read, and write with the degree of fluency. An employee on this list may be contacted when a LEP customer of DHHL services needs language assistance. The procedure to be followed when a DHHL employee is contacted to provide language assistance is contained in the section below.

Pursuant to HRS Section 371-33(d), to the extent that DHHL requires additional personnel to provide oral and written language services as determined by the totality of the circumstances and relevant factors, DHHL shall hire, whenever it is possible, qualified personnel who are bilingual to fill existing, budgeted vacant public contact positions.

NOTIFICATION OF INTERPRETATION AND TRANSLATION SERVICES TO LEP CUSTOMERS

OFFICE NOTICE

The reception staff will inform LEP customers orally, as required when reasoned or recognized, of the availability of a Hawaiian language interpreter when providing services to LEP customers.

The “Point Your Language” poster (Exhibit C) provided by the Office of Language Access is prominently displayed in the reception area to inform LEP customers of their right to an interpreter in Hawaiian or American Sign Languages at no cost for services provided by DHHL.

NOTICE FOR REQUESTING WRITTEN TRANSLATION

The reception staff will inform LEP customers orally in person and over the telephone, as required when reasoned or recognized, of the availability of written translation services by contacting the DHHL Plan Coordinator.

INTERPRETATION AND TRANSLATION SERVICES FOR LEP CUSTOMERS

ORAL INTERPRETATION

What does the receptionist do when a customer appears to be asking for help but has difficulty communicating what he or she needs in the English language?

In-Person Interpreter

The DHHL employee helping that customer will contact one of the Hawaiian language interpreters.

As a general rule, a competent,¹ in-person interpreter is preferred over a telephone interpreter. If no one is available to interpret Hawaiian language within that office, then the DHHL employee will attempt to contact an interpreter in the proximity of his or her own office (i.e., on the same floor). If no one in the proximity of the office is available, then the DHHL employee will contact an interpreter within DHHL.

¹ While it may be customary for LEP customers to bring their relatives or friends as interpreters, it is not appropriate to have minors serve as interpreters. Minors are often not formally trained in providing interpretation services and their experience as an interpreter tends to be limited.

The DHHL employee will (1) brief the interpreter about the situation by summarizing what the employee wishes to accomplish, and (2) convey any special instructions to the interpreter.² The DHHL employee will then allow the customer to speak to the interpreter.

When the discussion between the customer and the interpreter is finished, or when the DHHL employee is prompted, the DHHL employee will then speak to the interpreter to find out what the customer needs.

The cost for oral interpretation services shall be borne by the division if an outside provider is contacted.

At the end of the transaction, the DHHL employee shall complete the Oral Interpretation or Translation Log by detailing the date of the service, start and end times of the service, type of services provided, type of oral language service utilized, and number of documents translated. A sample page of the log is attached as Exhibit D. Each DHHL employee shall compile the information on this log semi-annually and submit to the Plan Coordinator by the end of the following month, i.e., July 31 for June-ending, and January 31 for December-ending report periods.

If there is no American Sign Language (ASL) interpreter available, the DHHL employee shall contact the Plan Coordinator who will promptly contract services from the professional providers listed on Exhibit E.

Telephone Calls

Should a DHHL employee receive a telephone call from a LEP customer or a representative of a LEP customer needing oral translation, the DHHL employee should encourage that LEP customer to come into the DHHL office, so that oral interpretation services may be arranged as set forth above.

WRITTEN TRANSLATION

As discussed in the section above, the reception staff will contact the Plan Coordinator if written translation assistance in Hawaiian is requested by the LEP customer.

The Plan Coordinator and the Division Administrator of that particular service shall decide whether the request should be granted using the four-factor analysis discussed in the RELEVANT FACTORS section above. It is within the sound discretion of the Plan

² If the speaker phone feature is available on the DHHL employee's phone, then the speaker phone feature should be used to allow both the LEP customer and the DHHL interpreter to be on the line at the same time.

Coordinator and the Administrator to select a professional qualified translator as listed in Exhibit E.

DESIGNATION OF A PLAN COORDINATOR

Ms. Annette Hayashi, DHHL's Management Analyst, shall serve as the Plan Coordinator. The Plan Coordinator will be primarily responsible for: (1) the overall implementation of the Plan; (2) responding to any inquiries or comments and complaints regarding the Plan and its implementation and documenting complaints by LEP persons regarding the provision of services; (3) making any revisions and modifications to the Plan, as necessary; (4) communicating to DHHL employees the proper background necessary to implement the objectives of the Plan; (5) serving as the primary contact for LEP customers who need a written translation of important DHHL documents; and (6) coordinating efforts to implement, monitor, and evaluate the Plan and invite input aimed at improving the current Plan.

TRAINING

The Plan Coordinator will be responsible for training DHHL staff of the primary purpose, background, procedures, and copy of the Plan, and proper use of the Language Access Reporting Tool. Additionally, training shall address competency, confidentiality, and impartiality issues for DHHL staff interpreters.

Pertinent information furnished at the quarterly Language Access Coordinator meetings and conference materials such as Tips for Communicating with LEP Individuals and Interpreter Code of Ethics provided by the Office of Language Access will be forwarded to new DHHL dual-lingual staff.

This Plan shall be reviewed and revised in light of comments from LEP customers or their representatives, interested stakeholders, Office of Language Access, and DHHL staff. Such review and revision shall take place on an annual basis or as needed. The provisions of this Plan shall remain in place until a revised Plan is adopted.

COMPLAINT PROCESS

Complaints from LEP customers should be reported to the Plan Coordinator who will seek guidance from the Office of Language Access.

UPDATES TO THE LANGUAGE ACCESS PLAN DURING COVID-19 EMERGENCY

An assessment of the efficacy of DHHL's plan during the Covid-19 pandemic was performed to address the elements below as stated in the Chief of Staff Linda Chu Takayama, Office of the Governor, Executive Memorandum dated November 1, 2021, regarding Ensuring Language Access during COVID-19 Emergency.

TRANSLATIONS OF VITAL AGENCY-SPECIFIC INFORMATION RELATED TO COVID-19

DHHL has newly added to its COVID-19 Updates website page, a Covid-19 State of Hawaii Portal – Hawaiian Resources which is linked to the Hawaii State Department of Health COVID portal entitled ‘Ōlelo Hawai‘i (Hawaiian) Resources.

TELEPHONIC INTERPRETATION SERVICES

If a determination is made for an outsource telephonic interpretation services, the Plan Coordinator will consult first with the Office of Language Access as to the competency of the providers listed on Exhibit E prior to contracting services.

WEBSITE NOTICE OF THE RIGHT TO FREE HAWAIIAN INTERPRETATION FOR DHHL SERVICES

The DHHL’s website was updated to include a Language Interpretation section on its Contact Us page and translated in Hawaiian to call the Contact Center for free Hawaiian language interpretation or translation for services offered by the Department of Hawaiian Home Lands.

AVAILABILITY OF DUAL-LINGUAL EMPLOYEES IN HAWAIIAN LANGUAGE

An updated list of dual-lingual staff in Hawaiian language is attached as Exhibit B.

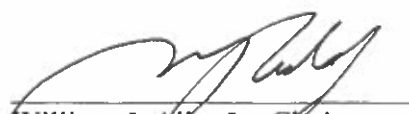
STAFF TRAINING NEEDS FOR LANGUAGE ACCESS

DHHL submitted the OLA Language Assistance Services Self-Assessment Tool on November 15, 2021, to assess DHHL’s need for technical assistance.

CONCLUSION

Through the enactment of this Plan, the Department of Hawaiian Home Lands, in compliance with the mandate of Title VI, has implemented the necessary steps in providing reasonable and meaningful access to LEP customers who seek the Department’s services.

All DHHL divisions shall immediately comply with this Language Access Plan.



William J. Aifa, Jr., Chairman
Hawaiian Homes Commission

6/23/22
Date

DEPARTMENT OF HAWAIIAN HOME LANDS

SUMMARY OF SERVICES

The mission of the Department of Hawaiian Home Lands (DHHL) is to serve the beneficiaries (individuals who have at least 50 percent Hawaiian blood) of the Hawaiian Home Lands Trust by developing and delivering its lands.

Office of the Chairman

Directs and carries out DHHL services, programs, projects, and activities in accordance with policies established by the Hawaiian Homes Commission.

Compliance and Community Relations Office

Coordinates enforcement and compliance with departmental rules, regulations, lease violations, and other illegal activities on Hawaiian home lands and coordinates the contested case Hearings process. Investigates complaints from beneficiaries and the general public regarding activities on Hawaiian home lands and provides advice and assistance to the Hawaiian Homes Commission and departmental staff on laws, policies, rules and regulations relating to the implementation of the Hawaiian home lands programs.

Native American Housing Assistance and Self-Determination Act (NAHASDA)

Funds eligible activities for a variety of housing and housing-related transactions for low-income households (80% and below of the area or state median income) as authorized by Title VIII as recipient of Native Hawaiian Housing Block Grant (NHHBG) and as administered by the Department of Housing and Urban Development (HUD).

Home Ownership Assistance Program (HOAP)

Performs specialized work to meet the goals and objectives of this home ownership program to ensure the department's proper administration and oversight in monitoring and tracking this program's services to the beneficiaries in pre-loan financial counseling and credit repair service in preparation for home ownership.

Administrative Services Office

Provides advice and assistance to DHHL organizations and programs and staff activities in the areas of personnel, budgeting, program evaluation, information and communications systems, risk management and clerical support services in addition to providing advice, coordination, and preparation of legislative proposals, reports to legislative committees and in the adoption of administrative rules and regulations and rules revisions; preparation of DHHL administrative directives and in other administrative areas.

Fiscal Office

Plans, organizes, and carries out accounting, fiscal, and other related activities in support of DHHL's organizations, programs, program activities, and projects. Provides advice, and assistance to DHHL managers and staff on accounting and fiscal matters.

Planning Office

Conducts research and planning studies required in the development of policies, plans, and programs to benefit native Hawaiians including producing master plans for the development of planned communities and subdivisions and for its periodic review and updating in addition to

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recommending approval of new and innovative programs to benefit native Hawaiian beneficiaries.

Information and Community Relations Office

Plans, organizes and carries out public information and public relations programs, projects, and activities and provides advice and assistance to the Hawaiian Homes Commission and DHHL staff on public relations and public information matters for DHHL.

Land Development Division

Provides for engineering services in the architectural and engineering design, layout and construction of housing projects, master-planned communities, and subdivisions for residential, agricultural, commercial, industrial, and mixed or other uses in addition to providing for financial funding through private or public appropriations and assists other DHHL organizations, programs in the award of completed homestead lots.

Land Management Division

Manages unencumbered land and land not in homestead use; markets and manages revenue-producing land and property; conducts land and real property appraisals; recommends terms and conditions of land and real property transactions; provides for the acquisition of land and land exchanges; develops and maintains land inventory and real property transaction records.

Homestead Services Division

Plans, organizes, and carries out programs and activities involved in leasing homestead lots for residential, farming, ranching, agricultural and aquacultural purposes and in providing loans and other financial assistance to native Hawaiians in conformity with requirements of the Hawaiian Homes Commission Act, 1920, as amended, and the DHHL Administrative Rules and policies of the Hawaiian Homes Commission.

EXHIBIT B**DEPARTMENT OF HAWAIIAN HOME LANDS****LIST OF EMPLOYEES WITH PROFICIENCY IN THE HAWAIIAN LANGUAGE**

Division/ Office	Employee Name	Speak	Degree of Fluency	Read	Degree of Fluency2	Write	Degree of Fluency3
HSD	Kapeliela, Ross Kana'i	X	Fluent	X	Fluent	X	Fluent
OCH	Kawaihae, Becky Niniau	X	Fluent	X	Fluent	X	Fluent
OCH	Kaikaina, Jerrean Aloha	X	Conversational	X	Limited	X	Limited
OCH	Leao, Oriana	X	Limited	X	Conversational	X	Conversational



Please point here if you need an interpreter in this language (at no cost to you).



Table with 2 columns: Language Name and Translation/Description. Includes languages like Hawaiian, Japanese, Korean, Mandarin, Cantonese, Ilokano, Tagalog, Cebuano, Vietnamese, Myanmar, Thai, Khmer, Lao, Marshallese, Chuukese, Chamorro, Pohnpeian, Kosraean, Yapese, Samoan, Tongan, Russian, and Spanish.

DEPARTMENT OF HAWAIIAN HOME LANDS

ORAL INTERPRETATION OR TRANSLATION OF DHHL SERVICES IN THE HAWAIIAN LANGUAGE

January to June*

July to December*

Year: 2021

Date of Service Hawaiian Language Interpretation/ Translation Provided	Employee Name (First & Last Name)	Start Time	End Time	Type of Services Provided to LEP Customers				Type of Oral Language Service Utilized (#)								# of Documents Translated			
				Oral Language Service	Sight Translation	Written Translation	Other (please specify):	Bilingual Staff (provides direct service in another language)	Community Volunteer	Contracted Interpreter (via an Interpreter Agency)	Contracted Interpreter (Directly)	Staff Interpreter	Telephone Interpreter	Volunteer Staff (speaks another language, volunteers to help)	Other (please specify):	Documents Translated Upon Request	Vital Documents		
<i>Example #1:</i> 11/01/21	Moana Maui	8:00 a.m.	10:00 a.m.			X												1	
<i>Example #2:</i> 11/10/21	Lilo N. Stitch	1:00 p.m.	2:00 p.m.	X															

**PROVIDERS FOR HAWAIIAN LANGUAGE
INTERPRETATION AND TRANSLATION**

Telephonic Interpretation

HAWAII LANGUAGE BANK
DBA Pacific Gateway Center
653 Ala Moana Blvd.
Honolulu, Hawaii 96813
Phone: (808) 773-7051
Email: jordan@pacificgateway.org

LANGUAGE SERVICES HAWAII, LLC
P.O. Box 160951
Honolulu, Hawaii 96816
Phone: (808) 892-3446
Email: lsh@languageserviceshawaii.com

Sign Language Interpreters

DISABILITY AND COMMUNICATION ACCESS BOARD
1010 Richards Street, Room 118
Honolulu, Hawaii 96813
Phone: (808) 586-8121
Email: dcab@doh.hawaii.gov