



**STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS  
P O BOX 1879  
HONOLULU, HAWAII 96805**

**DEPARTMENT OF HAWAIIAN HOME LANDS  
LANGUAGE ACCESS PLAN 2021**

**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.

### **DATA ASSESSMENT**

As background information, the mission of DHHL is to serve the beneficiaries (individuals who have at least 50 percent Hawaiian blood) and the 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. The total of 38,721 native Hawaiians is considered to be persons likely to be served by DHHL.

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, U.S. citizen at birth in Hawaii.

Data from DHHL's semi-annual LEP reporting tool from the period of January 1, 2017, to June 30, 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 13,388 calls in calendar year 2020. Of the total inquiries, there were no requests for Hawaiian language assistance.

Consequently, 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 and 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 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 DHHL may already have available through its employees.

Attached as Exhibit A 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 these languages 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/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 B) 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 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,<sup>1</sup> 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.

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.<sup>2</sup> 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.

---

<sup>1</sup> 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.

<sup>2</sup> 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 client to be on the line at the same time.

At the end of the transaction, the DHHL employee shall complete the Oral/Translation Log by detailing the date of the service, start and end times of 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 C. 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 period.

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

#### *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 Administrator of that particular division for services 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 Coordinator and the Administrator to select a qualified translator.

#### **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 regarding DHHL in-person 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, their representatives, interested stakeholders, 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 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, contracted services will be initiated with one of the providers listed on Exhibit D.

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

The Plan Coordinator has recently requested for internal dual-lingual personnel to translate in Hawaiian language the right of LEP customers to receive free language

interpretation or translation for services offered by the Department of Hawaiian Home Lands by contacting DHHL Contact Center's main telephone number. This translation information will be available on DHHL's website in its Contact Us section.

***AVAILABILITY OF DUAL-LINGUAL EMPLOYEES IN HAWAIIAN LANGUAGE***

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


***STAFF TRAINING NEEDS FOR LANGUAGE ACCESS***

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

**CONCLUSION**

Through the enactment of this Plan, DHHL, 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. Aika, Jr., Chairman  
Hawaiian Homes Commission

11/29/21  
Date

**EXHIBIT A**

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

<b>Division/ Office</b>	<b>Employee Name</b>	<b>Speak</b>	<b>Degree of Fluency</b>	<b>Read</b>	<b>Degree of Fluency2</b>	<b>Write</b>	<b>Degree of Fluency3</b>
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/Request. Languages include Hawaiian, Japanese, Korean, Mandarin, Cantonese, Ilokano, Tagalog, Cebuano, Vietnamese, Myanmar, Thai, Khmer, Lao, Marshallese, Chuukese, Chamorro, Pohnpeian, Kosraean, Yapese, Yapese (Outer Island), Samoan, Tongan, Russian, and Spanish.

Questions? Reception staff to contact the Department of Hawaiian Home Lands Limited English Proficiency (LEP) Plan Coordinator.

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	
Example #1: 11/01/21	Moana Maui	8:00 a.m.	10:00 a.m.			X											1	
Example #2: 11/10/21	Lilo N. Stitch	1:00 p.m.	2:00 p.m.	X														

\*Note: Please submit this log by the end of the following month, i.e., July 31 for June-ending and January 31 for December-ending report period.

**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](mailto:jordan@pacificgateway.org)

LANGUAGE SERVICES HAWAII, LLC  
P.O. Box 160951  
Honolulu, Hawaii 96816  
Phone: (808) 892-3446  
Email: [lsh@languageserviceshawaii.com](mailto: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](mailto:dcab@doh.hawaii.gov)