

HAWAI'I EMERGENCY MANAGEMENT AGENCY
KE 'ENA HO'OMALU PŌULIA O HAWAI'I

LANGUAGE ACCESS PLAN

TABLE OF CONTENTS

I. PURPOSE	Page 2
II. AUTHORITY	2
III. APPLICABILITY	3
IV. DEFINITIONS	3
V. REGULATIONS	5
a. Data collection	5
b. Signage	5
c. Translation	5
d. Interpretation	5
e. Waiver of language access rights	6
f. Bilingual staff and volunteers	7
g. Language access training	7
h. Outreach	7
i. Funded entities and contractors	8
j. Language access complaints	8
k. Resources	9
VI. PROCEDURES	10
a. Identifying LEP persons	10
b. Identifying the primary language	11
c. Obtaining an interpreter	12
d. Collecting data	12

Language Access Plan

e. Translating vital documents	13
f. Written communication	13
g. Funded entities and contractors	13
h. Screening and Training Bilingual Staff/Volunteers	14
VII. ROLES AND RESPONSIBILITIES	15
a. HIEMA Administrator	15
b. Limited Proficiency Specialist (LEPS)	15
c. Language Access Working Group (LAWG)	15
VIII. APPROVAL	16

I. PURPOSE

The purpose of this plan is to ensure that the Hawai'i Emergency Management Agency (HIEMA) meets the requirements of Hawai'i Revised Statutes (HRS) Chapter 321C-3(2024) which requires each state agency and covered entity to take reasonable steps to ensure meaningful access to its services, programs, activities by Limited English Proficient (LEP) persons. HIEMA shall facilitate the equal access of its vital public documentation by all persons living in, working in, or visiting the State of Hawai'i via translated and/or interpreted means, regardless of English language proficiency. Security Considerations: This plan is UNCLASSIFIED and does not fall within the scope of directives governing the protection of information affecting the national security of the United States.

Specifically, HIEMA shall:

1. Establish a Biennial Language Access Plan (BLAP) in consultation with the executive director of the Office of Language Access (OLA), the Language Access Advisory Council (LAAC) and the State of Hawai'i Department of Defense (DoD) LAC;
2. Identify a HIEMA Limited English Proficiency Specialist (LEPS);
3. Assess the volume of need for services in accordance with the four guidelines outlined in the U.S. Department of Labor 68 FR 32290, 32294 (May 29, 2003);
4. Conduct outreach to LEP communities; and
5. Train HIEMA staff and volunteers on language access compliance.

II. AUTHORITY

This plan coincides with HIEMA's five core values of Mālama, Po'okela, Wiwo'ole, Laulima,

and Kupono, as well as applicable federal and State of Hawai'i laws, rules, and regulations. These laws, rules, and regulations include but are not limited to HRS §321C-3(2024) and the Civil Rights Act of 1964, 42 U.S.C. § 2000d, Title VI.

III. APPLICABILITY

This plan applies to all HIEMA staff, volunteers, grantees, contractors, and affiliates providing direct services to the public on behalf of HIEMA.

IV. DEFINITIONS

For the purpose of this plan, the following definitions apply:

- a. Bilingual refers to a functional state of measurable language proficiency in two languages.
- b. Biennial Language Access Plan (BLAP) is the point of reference by which designated HIEMA officials may coordinate language access resources and services in support of LEP populations in the State of Hawai'i under the authority of HRS §321C-3(2024). In coordination with OLA, LAAC and the Hawai'i DoD LAC, parameters for data collection, vital documents translation, training of staff and volunteers and community outreach under "blue" and "gray" sky conditions will be revised on a bi-annual basis for efficacy.
- c. Blue and Gray Skies - "Blue sky" refers to non-disaster periods. "Gray sky" refers to the period immediately before, during and after an incident has occurred.
- d. Customer means one who qualifies to access the LEP services HIEMA provides.
- e. HIEMA's Five (5) Core Values:
 - i. Mālama - To care for and protect.
 - ii. Po'okela - Striving to undertake every action with excellence and ensuring continuous improvement.
 - iii. Wiwo'ole - Serving the people of Hawai'i with courage and fearlessness.
 - iv. Laulima - To cooperate and work successfully with others.
 - v. Kupono - To be honest, fair transparent and open.
- f. Fluency refers to a state of language use where the one demonstrates the ability to read, write, and speak easily and accurately.
- g. Interpretation is the facilitation of meaning (word-for-word or gisted) through oral communication among speakers of different spoken languages. This may be carried out simultaneously, consecutively, telephonically, through whispering, or as "sight translation" (interpreted written word read out loud).

Language Access Plan

- h. Language ID Cards are wallet-sized cards available through OLA which LEP individuals may present to HIEMA to identify themselves, their primary language and request an interpreter. state the following in both English and the applicable non-English language: “Hello, my name is [name here]. The language I speak is [language here]. Please find someone who can speak my language so we can talk to each other. Thank you.”
- i. Language Access in practice brings LEP persons into an equal field of communication with proficient English speakers through interpretation and translation allowing for independent decision-making and process management.
- j. Language Access Coordinator (LAC) refers to the State of Hawai‘i DoD appointed language representative.
- k. Language ID Guide is a tool that the Office of Language Access (OLA) provides for identifying a customer’s primary language.
- l. Limited English Proficiency Specialist (LEPS) refers to a position within HIEMA which coordinates and supervises HIEMA activities undertaken to comply with the provisions of this plan.
- m. Limited English proficient person refers to “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.”
- n. Members are all agency employees, as well as volunteers, grantees, contractors, and affiliates providing direct services to the public on behalf of the agency.
- o. Primary language indicates the language that a customer is most comfortable using. It is usually (but not always) the person’s first or native language.
- p. Translation is the conversion of written wording from one language (the source language) into the equivalent wording in another language (the target language). Although the public and media tend to use the term interchangeably with “interpretation,” the word “translation” refers to written texts and “interpretation” refers to oral speech. There are two forms of translation:
 - 1. Written translation is the conversion of written text from the source language into written text in the target language.
 - 2. Sight translation is the interpreted oral rendering of a written text from the source into the target language; it is not normally a direct word-for-word translation.
- q. Vital documents include the applications, notices, forms, agreements, and outreach materials that the agency publishes or distributes to inform customers about their rights or eligibility requirements for participation in agency programs.

V. REGULATIONS

a. Data Collection

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 person(s) eligible to be served or likely to be encountered by the program.
2. The frequency with which LEP person(s) encounters the program.
3. The nature and importance of the program, activity, or service provided by the program to LEP persons.
4. The resources available to the program and the costs of provided interpretations and/or translation services.

b. Signage

Members shall direct customers to agency employees' informational bulletin boards located in the Birkhimer Bunker and Bldg. 303, which feature visible signage informing customers of their rights to obtain assistance in a language they can understand, free of charge. Signage shall include information in all non-English languages that meet the agency's language threshold. To inform the public of language access services, agency facilities shall feature the following signs and posters:

1. Language ID Guides [Language Poster Rev. Jan 2025.]

c. Translation

HIEMA shall provide written translations of vital documents into all non-English languages where "...five per cent or one thousand, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered; or if there are fewer than fifty persons in a limited English proficient group that reaches the five per cent threshold..." (HRS 321C-3) These documents include but are not limited to preparedness resources, outreach materials, and other documents regarding customers' rights or services eligibility requirements. Furthermore, the translations should be easily accessible on-site at HIEMA and/or online for ease of access by customers and members.

d. Interpretation

HIEMA shall facilitate vendor and/or staff/volunteer interpretative services between eligible LEP customers and appropriate agency members free of charge when services cannot be easily rendered verbally in the English language. Interpretation may be conducted on-site at HIEMA, remotely via telephonic and/or video methods, or off-site

Language Access Plan

as needed during community outreach events, exercises, emergencies, et cetera. The use of family members, friends, or minors as interpreters is highly discouraged.

Members shall establish and maintain full and effective communication with customers of all English proficiency levels. To this end, members shall offer interpretation services either over the phone or in person, whichever is more effectual, in the primary languages of all customers identified as LEP. In so doing, members shall:

1. Avoid assumptions about a customer's primary language and make every effort to ascertain it (for example, some Central Americans use an indigenous dialect as their primary language rather than Spanish).
2. Provide interpretation whenever requested by a customer, regardless of the customer's perceived level of English proficiency.
3. Neither discourage LEP customers from seeking HIEMA services, nor refuse agency services to such customers.
4. Deliver HIEMA services in a timely manner, i.e., without delays that are significantly greater than those that English proficient customers experience, by adhering to continued reciprocal communication practices.
5. Provide interpretation for LEP customers attending HIEMA public meetings if the agency receives notice of their presence at least five (5) business days in advance of the public meeting.

e. Waiver of Language Access Rights

LEP customers may insist on using a family member or friend as their interpreter or may otherwise refuse HIEMA's language access services. In such cases, HIEMA shall obtain written consent that waives the customer's rights to translation and interpretation services. To do so, agency members shall provide customers with a waiver form in their primary language, which the Office of Human Rights supplies. If a written translation is not available in the customer's primary language or if the customer is unable to read, HIEMA may use sight translation to convey the contents of the waiver form to the customer. URL: <https://humanservices.hawaii.gov/wp-content/uploads/2012/10/OfferofAcceptance-or-Waiver-Interpreter-Services.5000.6.14.pdf>

Language Access Plan

f. Bi-lingual Staff and Volunteers

The State of Hawai'i Department of Defense (DoD) LAC shall maintain a list of bilingual staff members and volunteers who agree to act as interpreters for the LEP population whose primary language they speak. Staff interpreters shall be able to:

- (1) Communicate fluently and accurately in the non-English language(s) in which they claim and/or show proof of proficiency (recommended minimum -functional fluency. Ref: <https://theglobalseal.com/actfl-language-proficiency-levels>);
- (2) Interpret exact concepts without distorting meaning in either language; and,
- (3) Understand the obligations of confidentiality as appropriate.

The LEPS shall take reasonable steps to screen and maintain a roster of self-identified bilingual staff members and volunteers who volunteer their bilingual and cultural skills through available proficiency testing and HIEMA-developed language and cultural screenings. Note: only State of Hawai'i employees qualify for free proficiency testing through the Hawai'i Language Roadmap Initiative. Based on an internal list of available staff members and volunteers, both the established and anticipated demand for language access services, HIEMA shall determine its existing capacity for assisting LEP customers. To the extent that it requires additional capacity for providing interpretation services, HIEMA shall give preference to qualified bilingual individuals when hiring for existing budgeted vacant public contact positions.

g. Language Access Training

All HIEMA members in public contact positions shall be proficient in the requirements and legal obligations for serving LEP customers. To this end, members shall attend either web-based or in-person training provided by OLA. Training shall occur as part of the on-boarding process for new members, and as part of continued professional development for existing members. The Biennial Language Access Plan shall outline the details of agency training on language access.

URL: <https://health.hawaii.gov/ola/for-clients/>

h. Outreach

HIEMA shall develop a plan for conducting outreach to LEP communities in order to disseminate information on natural disaster and emergency preparedness. Outreach activities may include, but are not limited to, the following

1. Organizing events such as fairs, forums, and educational workshops;

Language Access Plan

2. Deploying mobile units to visit community centers, community-based organizations, or schools;
3. Disseminating information through in-language or ethnic media outlets, including local television, newspapers, blogs, and radio programs;
4. Deploying outreach personnel to perform regular walk-throughs in LEP communities;
5. Partnering with community-based organizations for the implementation of projects and/or delivery of services;
6. Distributing flyers, brochures, and other printed material in diverse languages and at diverse locations;
7. Organizing regular needs assessment meetings with LEP community-based organizations;
8. Disseminating information through the HIEMA's website;
9. Issuing press releases in diverse languages and directing those press releases to media outlets serving LEP communities;
10. Implementing a topic-specific campaign to raise awareness in an LEP community;
11. Sponsoring educational, informational, cultural, and/or social events in LEP communities;
12. Participating in LEP community events and/or meetings;
13. Inviting LEP community members to visit HIEMA's site(s) and facilities;
14. Co-sponsoring community events with community-based organizations that serve LEP communities;

i. Funded Entities and Contractors

Funded entities, or contractors hired by HIEMA to carry out services, programs, or activities directly to the public are required to

- a. collect data regarding contact with LEP customers and report this data to the agency on a quarterly basis,
- b. provide oral interpretation services,
- c. translate vital documents, and
- d. train personnel on all compliance requirements according to the same standards required of HIEMA.

j. Language Access Complaints

Complaints may be reported directly to HIEMA and/or partner compliance partner organizations below. Note: Complaints reported to HIEMA and/or OLA will be

Language Access Plan

investigated using informal methods between the agency and filing individuals, however, a lawsuit cannot be filed with HIEMA or OLA and instead a complaint of discrimination can be filed with the following offices:

1. Office of the Ombudsman

465 King Street, 4th Floor, Honolulu, HI 96813

Phone: (808) 587-0770 (Voice); Fax: (808) 587-0773; TTY: (808) 587-0774

E- mail: complaints@ombudsman.hawaii.gov

2. Hawaii Civil Rights Commission

830 Punchbowl Street, Room 411, Honolulu, HI 96813

Phone: (808) 586-8636 (Voice/TTD); Fax: (808) 586-8655;

E-mail: dlir.hcrc.infor@hawaii.gov

3. U.S. Department of Justice Civil Rights Division

Federal Coordination and Compliance Section - NWB

950 Pennsylvania Avenue, N.W., Washington, D.C. 20530

Phone: (888) 848-5306 English and Spanish (Ingles y Español) ;(202) 307-2222 (voice); (202) 307-2678 (TDD)

4. OLA's instructions on filing a complaint and complaint forms may be found at the following URL: <https://health.hawaii.gov/ola/filing-a-complaint/>

OLA's Contact Information

Phone: (808) 586-8730 Toll Free: 1 (866) 365-5955

Email: doh.ola@doh.hawaii.gov

5. HIEMA may be contacted at:

Hawai'i Emergency Management Agency

4204 Diamond Head Road, Honolulu, Hawai'i 96816-4420

Phone: 808-733-4300

Email: dod.hiema.la@hawaii.gov

k. Resources

Members shall have the following resources available to better serve LEP customers: digital and hard-copy translations of vital documents; access to contracted in-person and telephonic interpreters, as well as to the list of agency bilingual staff interpreters; materials from the OLA, such as Language ID Cards and language posters, preparedness resources, and training as outlined in the agency's Biennial Language Access Plan (BLAP).

VI. PROCEDURES

a. Identifying LEP persons:

Members shall keep in mind the fact that LEP designations are context-specific; LEP persons may possess sufficient English language skills to function in certain types of communication (e.g., speaking or listening), but still be LEP for other purposes (e.g., reading or writing). When members suspect or are told that customers they encounter are LEP, they shall use the following protocol to determine whether or not the customers are actually LEP:

1. Ask an appropriate open-ended question beginning with “Who”, “What”, “When”, “Where” or “Why” with the expectation of a narrative style response. Ex: “What” is it that I can do for you today?
 - a. If the person is unable to provide a narrative in spoken or written English, proceed to identify which language would be best.
 - i. Use of language identification signage, bilingual staff and/or volunteers, or vendor telephonic interpreting services may be used to positively identify which language the customer would be best in using to obtain services.
 - b. Upon identifying the language the customer is best in providing narrative responses, the receiving member may proceed in working with a qualified bilingual staff/volunteers or proceed to facilitating communication through a vendor telephonic interpretation service.
 - i. Staff and volunteers will have access to vendor telephonic interpretation resources which are for the exclusive use of facilitating non-English communications between members and customers.
2. If the LEP person can speak or understand some English, the member shall state: “I can request an interpreter in your language to interpret for you in person or over the phone. Would you like me to get an interpreter?”
 - a. If the LEP person answers “Yes,” the member shall:
 - i. Proceed to identify the LEP person’s primary language as specified in Part VI (Procedures) b. below; and

Language Access Plan

- ii. Obtain an interpreter to facilitate communication with the LEP person.
 - b. If the LEP person answers “No,” the member shall:
 - i. Ensure that the LEP person understands the question and confirms that the customer does not want an interpreter.
 - ii. If the LEP person confirms that an interpreter is not wanted, the member shall proceed with communicating in English.
- b. Identifying the Primary Language

Members shall attempt to identify an LEP customer’s primary language using the following three approaches:

 - 1. Ask the LEP person and check for an 'I Speak' Card.
 - a. Members may ask an LEP person: “What other language(s) can you speak?” or “Would you like to continue in English or another language?” If the LEP person understands and answers the question, and/or displays an “I Speak” Card, the member shall immediately follow the procedures in Part VI (Procedures), section c. 2 of this plan to obtain an interpreter for the primary language.
 - 2. Use the Language ID Guide.
 - a. OLA provides a guide for identifying a customer’s primary language. Members obtain this guide from OLA and shall display it to LEP customers who are unable to identify their primary language in response to a member’s questions. If the customer successfully identifies a language using the guide, members should follow procedures in Part VI (Procedures) section c.2 of this policy to obtain an interpreter for this language.
 - 3. Members shall contact a Hawai’i State Procurement Office (SPO) approved contracted language service if LEP customers do not appear to be able to read or understand the Language ID Guide or are otherwise unable to identify their primary language by following the abbreviated procedure outlined in Part VI (Procedures), section c.2.b below.

With assistance from the telephonic vendor, members shall attempt to ascertain the LEP customer’s language in order to obtain a suitable

Language Access Plan

interpreter.

c. Obtaining an Interpreter

Whenever an agency member contacts or is contacted by an LEP customer by telephone or in person, the member shall:

1. Determine the LEP customer's English proficiency and primary language as described in Parts VI (Procedures), section a. and Part VI (Procedures), section b. above, respectively; and
2. Determine the availability of a bilingual member on the list of staff and volunteer interpreters who speaks the non-English language in question.
 - a. If such a bilingual member is immediately available, the agency member serving as the point of contact shall transfer communication to the bilingual member.
 - b. If such a bilingual member is not immediately available, the agency member serving as the point of contact shall request an interpreter from an approved SPO vendor providing the agency's Client ID, Organization Name, and Access Code. This HIEMA - specific procedure - may be found in the language access team binder, the reception desk SOP binder or through a member of the language access team.

d. Collecting Data

Below, list the agency's specific databases, applications, and tracking systems that accommodate data collection on language proficiency. The agency shall use the following mechanisms to collect data:

1. Data from HIEMA's "Language Access" drop-down ribbon menu "Request for Free Interpretation Service" pages: Instruction – 1) Click "A 文" icon; 2) Choose language; 3) Select "Request for Free Interpretation Service" button; 4) Fill out form in chosen language; 5) Click "Submit" button upon completion.
<https://dod.hawaii.gov/hiema/>
2. Reports from bilingual staff/volunteers on the number of times they are asked to assist a LEP individual.
3. Reports from volunteer staff at community outreach events.
4. HIEMA's Language Access Inbox: dod.hiema.la@hawaii.gov

Language Access Plan

e. Translating Vital Documents

1. The Language Access Working Group (LAWG) shall identify and maintain a record of all vital document translations.
2. If a vital document translation is not available on the agency's Internet or Intranet websites, members shall request a translation of that document by contacting an SPO approved vendor or an available bilingual staff/volunteer translator.
3. Should LEP people require a vital document that has not been translated into their primary language, members shall follow the procedures outlined in Part VI (Procedures), section c.2.b to contact an SPO approved interpretation vendor. Members shall request a sight translation and read the document to the contracted interpreter themselves.

f. Written Communication

1. If a member receives a letter or other written communication in a non-English language, and the member is not bilingual in that language, the written communication shall be forwarded to a member of the language access team, or an available staff/volunteer translator for processing.
2. Within two business days of receiving the letter member of the language access team, or an available staff/volunteer translator shall respond to the sender with an acknowledgement letter in the sender's language and arrange to have the original correspondence translated into English.
3. Once the written communication is translated into English, member of the language access team, or an available staff/volunteer translator shall forward the English version of the communication to the intended agency recipient for response.
4. The member responsible for writing the response shall do so and then forward the response to a member of the language access team, or an available staff/volunteer translator.
5. A member of the language access team, or an available staff/volunteer translator shall arrange to have the response translated into the target language and mail the response to the sender, with a copy to the member who prepared the response.

g. Funded Entities and Contractors

Language Access Plan

HIEMA's LAWG shall use the following procedures to ensure that funded entities and contractors hired by HIEMA comply with the requirements of HRS Chapter 321C-3 (2024), according to the same standards required of HIEMA.

1. Include language access compliance requirements for funded entities and contractors in all Notices of Funding Availability (NOFA) and Requests for Assistance (RFA) issued by HIEMA.
2. Require that all funded entities and contractors certify in writing that they will meet language access compliance requirements in contracts, memorandums of understanding, or work agreements signed between funded entity/contractor and HIEMA.
3. Ensure that funded entities and contractors receive language access compliance training through HIEMA and/or using training material approved by OLA.
4. Provide guidance on language access compliance to funded entities and contractors by connecting them to translation and interpretation vendors, and by providing them with a clear process for collecting data and for reporting all encounters with LEP customers to HIEMA.

h. Screening Bilingual Staff/Volunteers

To determine and maintain the aptitude of bilingual staff/volunteers who wish to volunteer as translators and/or interpreters, the LEPS will implement the following screening and training processes:

1. A National Council of State Supervisors for Languages (NCSSFL)-American Council on the Teaching of Foreign Language (ACTFL) "Can-Do Statements" Proficiency Benchmarks and/or an Interagency Language Roundtable (ILR) Self-Assessment of Foreign Language (Speaking, Reading, Listening) Proficiency.
2. An OLA funded Hawai'i Language Roadmap (HLR) Global Seal of Biliteracy Proficiency Exam. Target Proficiency Level: Functional Fluency - [ALTA Test] ILR: 1+ or higher / AVANT Test: 5 or higher; and
3. Code of Ethics and Confidentiality training for interpreters and translators.
4. Thematic Defense Language Institute Foreign Language Center (DLIFLC) Korean Basic Course (KBC) English language templates.

VII. ROLES AND RESPONSIBILITIES

Language Access Plan

The Office of Language Access (OLA) will provide oversight, central coordination, and technical assistance to the department in the implementation of the language access plan.

a. HIEMA Administrator:

1. Develop (or designate a member or team to develop) a Biennial Language Access Plan (BLAP).
2. Establish (or designate a member or team to establish) procedures for:
 - a. Providing interpretation over the phone and in person;
 - b. Engaging in written communication with LEP customers;
 - c. Translating vital documents;
 - d. Collecting data on LEP encounters; and
 - e. Conducting community outreach.

b. Limited English Proficiency Specialist (LEPS)

1. Ensure HIEMA's compliance with the HRS Chapter 321C-3 (2024) and corresponding guidelines and regulations.
2. Oversee the implementation of the agency's Biennial Language Access Plan (BLAP) and submit a quarterly progress report to the Executive Director of OLA.
3. Provide guidance, advice, resources, and training to agency members regarding language access services.
4. Identify and screen bilingual staff members and volunteers to serve as HIEMA interpreters.
5. Identify and maintain a record of the agency's vital documents.
6. Execute the roles and responsibilities as a State Emergency Response Team (SERT) and Emergency Response Team (ERT) member during emergencies and disasters

c. Language Access Working Group (LAWG)

1. Assist the LEPS with data collection, annual reporting, customer complaints, training of personnel in public contact positions, and other elements of compliance.
2. Comprise the following positions at HIEMA:
 - a. HIEMA - Limited English Proficiency Specialist (LEPS)
 - b. HIEMA - Purchasing Manager
 - c. HIEMA - Communications Director
 - d. DoD. - Director of Public Affairs
 - e. DoD - Language Access Coordinator (SHRO)

Language Access Plan

VIII. APPROVAL

This policy is effective immediately upon signature.



James Barros
Administrator
Hawai'i Emergency Management Agency

12/15/2025

Date