



Language Access Plan

May 2019



Dear Fellow Pennsylvanians:

I am pleased to present the Pennsylvania Department of State's Language Access Plan. With the publication of this plan, we demonstrate the Department's commitment to providing high quality customer service to all individuals and to ensuring meaningful access to the Department's programs and services, regardless of ability to speak and understand English.

This plan is the result of over two years of work. Back in 2016, the Office of the Governor established a language access working group. The Department of State was selected to participate because of our significant engagement with the public, and our interest in expanding the public's understanding of and access to our services. Over the course of a year and a half, the working group developed a plan and guidelines for agencies to follow. The Department of State volunteered to serve as the pilot agency to adapt those guidelines into this Language Access Plan.

To do this was no small endeavor: research included a review of best-practice literature, conversations with community advocates, and consultations with a variety of government practitioners who have undertaken language access planning. The content of the plan was developed and reviewed in regular meetings with representatives from each bureau in the Department. Looking ahead, we will continue to collect data and monitor our services in an effort to continually improve.

I am very proud that the Department of State worked with such commitment and dedication to removing barriers to accessing Department services. With this plan, we will ensure that whether the goal is for a person with limited English proficiency to open a business, or for a person who is deaf to register to vote, or countless other Department services, interactions with the Department of State will expand access and remove barriers to reaching those goals.

Thank you to all the dedicated Department staff who worked hard to make these goals a reality.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Boockvar".

Kathy Boockvar
Acting Secretary of the Commonwealth

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I. Policy and Principles

It is the policy of the Department of State (“the Department”) that individuals with limited English proficiency and individuals who are deaf or hard of hearing have meaningful access to the services, programs, and activities of the Department. Because of this, the Department has developed this Language Access Plan (“Plan”), which recognizes that language can be a barrier to accessing services provided by the Department. The Plan is a commitment to increasing access to important government services.

This Plan describes the specific steps that the Department of State will take in order to ensure meaningful access. The standards set forth are guided by the following principles:

1. Individuals who request an interpreter should be provided one.
2. Interpreter services should be offered, even if not requested, where the ability of a person to understand or communicate in English may be unclear.
3. The Department provides interpretation and translation services at no cost.
4. The Department must provide language services in a timely manner.
5. To be effective, there should be a consistent and regular review process for the provision of translated materials.
6. “Plain language” is an important aspect of ensuring language access. The Department will strive to communicate with the public using language that is easy-to-read, clear, and concise.
7. The Department will incorporate and standardize language services in the regular course of business.

II. Scope and Authority

The Plan applies to the Pennsylvania Department of State, its programs and staff. The Plan establishes policies that rely on guidance contained in statutes or regulations promulgated under Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act, and Pennsylvania Act 172 of 2006, and is consistent with other federal and state laws and regulations as well as good management practices.

III. Definitions

“Multilingual.” An individual who has the ability to use more than one language. A multilingual person can learn to become a translator or an interpreter but is not automatically so qualified by virtue of their language abilities.

“In-language.” Refers to services provided in a language other than English, without the aid of an interpreter. Someone who is multilingual and not qualified to interpret may still be able to provide services in-language.

“Interpretation.” The act of conveying the meaning of a spoken or signed communication into another spoken or signed language. For example, conveying what someone signs in American Sign Language into spoken English.

“Language access.” Language assistance that results in accurate, timely, and effective communication at no cost to the person with limited English proficiency.

“Language services.” Refers to the services provided by the Department of State to assist people who are limited English proficient or deaf or hard of hearing. This includes interpretation and translation services.

“Language Access Coordinator.” A designated staff person responsible for monitoring and facilitating meaningful language access to persons with limited English proficiency.

“Limited English proficiency (LEP).” Individuals who do not speak English as their primary language and who have a limited ability read, write, speak, or understand English. Persons with limited English proficiency may be competent in English for certain types of communication but still have LEP for other purposes.

“Plain language.” Communication that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience.

“Meaningful access.” Benefits, programs and services that are compliant with federal LEP requirements as set out in federal statutes that ensure assistance is available to the recipients of the benefits or services using accurate and effective communication, and prevents undue delay or the denial of benefits to which the recipients are eligible.

“Telephonic interpretation.” Interpretation that is conducted over a telephonic device or medium.

“Translation.” The replacement of written text from one language with an equivalent written text in another language while retaining the same meaning.

“Vital document.” A document that contains information that is critical for obtaining federal or state services or benefits. Vital documents may include, but are not limited to, application materials, complaint forms, documents that include an acknowledgment, release, or waiver, and notices concerning program eligibility, program rules, or notices of termination.

IV. Language Access Needs Assessment

A. Demographic Data

According to estimates by the US Census Bureau, over 1.3 million (10.8%) Pennsylvania residents speak a language other than English at home.¹ Over 500,000 speak another language at home, and do not speak English very well. Spanish is the most common language after English, with Spanish speakers making up close to 45% of limited English proficient persons in Pennsylvania. The next most commonly spoken language in Pennsylvania is Chinese (including its dialects). Although Chinese speakers make up just under 10% of limited English proficient Pennsylvanians, the number of people who speak Chinese in Pennsylvania increased by over 45% from 2009 to 2015 (compared to a 22% increase among Spanish speakers, and a 16% increase in the total number of person who are limited English proficient in Pennsylvanians).² Refer to Appendix A for a list of the top 10 most common languages among people who are limited English proficient in Pennsylvania.

There is no data available on the use of sign language in Pennsylvania, and the estimates of the number of people who suffer from hearing loss varies substantially. Recent Census data indicates that 4.7% of Pennsylvanians over 18 are deaf or hard of hearing,³ while a 2011 report from researchers at Johns Hopkins estimate that about 30 million Americans, or 12.7 percent of the population, had hearing loss in both ears.⁴

In addition, there are those whose primary language is spoken English, but have difficulty with reading comprehension. According to the most recent national study of adult literacy levels, about 13 percent of adults in Pennsylvania lack basic literacy skills.⁵

B. Bureau Self-Assessments

A self-assessment questionnaire was conducted by the Department in September 2018. In general, the self-assessments indicate that the Department does not have enough data to assess whether the need for language services is reflective of the above demographic data. Anecdotally, the bureaus report that Spanish is the most commonly encountered language after English. The Bureau of Enforcement and Investigation also reported encountering Asian languages in the course of conducting inspections and investigations.

¹ US Census Bureau, 2016 American Community Survey 5-Year Estimates

² US Census Bureau, 2009 – 2015 American Community Survey 5-Year Estimates.

³ US Census Bureau, 2016 American Community Survey 5-Year Estimates, Table B18102.

⁴ "One in Five Americans Has Hearing Loss." Nov. 2011.

https://www.hopkinsmedicine.org/news/media/releases/one_in_five_americans_has_hearing_loss.

⁵ National Center for Education Statistics. National Assessment of Adult Literacy. State and County Estimates of Low Literacy. "Indirect estimate of percent lacking Basic prose literacy skills and corresponding credible intervals: Pennsylvania 2003." <https://nces.ed.gov/naal/estimates/StateEstimates.aspx>

V. Language Access Resources

The Department employs a variety of resources to provide services to people who use sign language and people who are limited English proficient. They are described below.

A. Telephone Relay Services

Persons with a hearing or speech disability may contact the Department using a telecommunications relay service, which is available free of charge by dialing 711. Department staff also have access to this relay service to communicate with persons who use a text telephone (TTY) or similar device to communicate over the phone.

B. Language Services Contracts

The Department of State uses statewide contracts to provide interpretation and translation services. The Bureau of Finance and Operations (BFO) manages these contracts, which include

- Telephonic interpretation for spoken languages.
- In-person interpretation for sign language and spoken languages.
- Document translation.

C. Multilingual Staff

Multilingual staff may serve as a resource to communicate with clients in-language. However, multilingual staff should not be called on to provide in-language services outside of their normal job duties. When there is no multilingual staff within a program area, interpreters should be used.

When there is a need for language services within a program area, hiring managers should consider whether those needs could be addressed by creating a multilingual position. Hiring managers should work with bureau heads and the Department human resources office to assess and update job descriptions as appropriate.

D. Community Organizations

The Department may consult with community organizations in order to gather feedback on the provision of language services and conduct outreach to community members. The Department welcomes feedback on an ongoing basis from community organizations. These may include:

- Organizations representing the interests of person with limited English proficiency or who are deaf or hard of hearing.
- Organizations that promote election fairness.
- Organizations of businesses or charitable organizations.
- Professional groups whose members are licensed by the Department of State.

VI. Operational Plan

A. Language Access Roles and Assignments

Language Access Coordinator

The Language Access Coordinator (“the Coordinator”) for the Department of State is responsible for drafting and maintaining the Language Access Plan. The Coordinator is responsible for Plan implementation and serves as a resource to the bureaus to help resolve issues that arise related to language access. The Coordinator is designated by the Department’s Office of Policy, and works under the direction of the Governor’s Secretary of Policy and the Secretary of the Commonwealth.

The Language Access Coordinator’s responsibilities include:

- Provide training to Department staff.
- Track and resolve issues related to language services.
- Respond to language services complaints.
- Conduct regular data review.
- Conduct outreach.
- Collect feedback from community organizations.

Bureau Liaisons

Each of the Department’s bureaus that primarily provides services to the public has a language access liaison. Those bureaus are:

- Bureau of Election Services and Notaries
- Bureau of Election Security and Technology
- Bureau of Campaign Finance and Civic Engagement
- Bureau of Corporations and Charitable Organizations (BCCO)
- Bureau of Enforcement and Investigation (BEI)
- Bureau of Professional and Occupational Affairs (BPOA)
- State Athletic Commission (SAC)

Liaisons are responsible for guiding and tracking the implementation of the Language Access Plan at the bureau level, and communicating issues and challenges related to implementation to the Department Coordinator. The bureau liaisons’ responsibilities include:

- Be knowledgeable about the Language Access Plan and language services.
- Arrange training for bureau staff.
- Manage the bureau’s document inventory and review process.
- Bring issues related to language services to the Coordinator’s attention.
- Collect and report data to the Coordinator.

B. Training for Department Staff

The Department will routinely provide training to staff related to language access policies and procedures. The training is offered to new employees during onboarding and offered to existing employees at least every two years.

The Language Access Coordinator offers training on the following topics:

- The Language Access Plan and its application.
- Telephone interpretation.
- Tips for working with interpreters.
- Plain language principles.
- Requesting document translation.
- Requesting in-person interpretation.

If additional training is needed, the Coordinator will work to accommodate those requests.

C. Language Interpretation

As a best practice and to safeguard against inaccurate and incomplete interpretation, professional interpreters should be used via the statewide contracts, rather than allowing the client to use a friend or family member as an interpreter. Children should never be used as interpreters. Multilingual staff may provide in-language services, but they should not be asked to interpret.

For administrative hearings, such as hearings related to professional licensing, the Department of State uses certified or otherwise qualified interpreters registered with the Administrative Office of the Pennsylvania Courts (AOPC) whenever possible.

The Language Access Coordinator provides instructions to Department staff for accessing interpretation services. Those instructions outline the steps staff must take to avoid errors and delays. Any concerns related to interpretation services should be reported to the Coordinator.

Telephone Interpretation

The Department provides telephone interpreting as needed at no cost to clients. All staff receive training on the use of telephone interpretation services.

It is common for clients who are deaf or hard of hearing to communicate over the phone using assistive equipment and/or a telephone relay service, available at no cost by dialing 711. Department of State staff are trained to respond to such calls.

In-Person Interpretation

The Department provides in-person interpreters for in-person interactions as needed at no cost to the client. Staff should communicate to clients that it takes a minimum of two days to arrange for an in-person interpreter. For brief, unscheduled interactions with persons who are limited English proficient, it may be appropriate to communicate using telephone interpretation over speaker phone. However, Department staff must offer to provide an in-person interpreter when the client and staff cannot communicate effectively using telephone interpretation, or at the client's request.

For persons who use sign language, the Department will arrange for in-person interpretation for in-person interactions when the client and Department staff cannot communicate effectively, or at the client's request.

D. Document Translation

The Language Access Coordinator works with the bureau liaisons to conduct a semi-annual inventory and assessment of the documents each bureau makes available to the public. The assessment will determine how each document will be prioritized for translation.

The Department prioritizes the translation of vital documents, which are documents that clients must understand in order to access Department services or are required by law. Documents that are considered "vital" may include:

- Application materials.
- Complaint forms.
- Forms that include an acknowledgment, release, or waiver.
- Notices concerning program eligibility, program rules, or notices of termination.
- Notices about the availability of language services.

In addition, documents are reviewed for translation based on the following four factors:

1. The number and proportion of LEP persons served or encountered.
2. The frequency with which LEP individuals come into contact with the program or service.
3. The importance of the document and program to the LEP persons' lives.
4. The resources available to the program and costs associated with translation.

A document may be translated in response to a request from an individual, depending on the availability of Department resources. The Department will acknowledge all requests for translation within five (5) business days and respond to requests within a reasonable amount of time.

In some cases, when a document has not been translated, taglines may be attached to the document. Taglines are statements printed in languages other than English that alert clients to the availability of free language services.

Written document translation is performed by qualified translators using the statewide contracts for translation services. Multilingual staff should not be used to translate written documents. The Language Access Coordinator will provide written instructions to Department staff for requesting document translations. Those instructions outline the steps that should be taken to assure the quality of translations, including verification by multiple vendors, and community review. Any concerns related to the quality of translations should be reported to the Coordinator.

E. Plain Language

Before any new document or other media is made available to the public or submitted for translation into another language, it must be reviewed for plain language. The plain language review ensures that public facing documents are clear, organized and concise, using common words and short sentences. The Language Access Coordinator provides instructions for Department staff to follow when conducting a plain language review. Department staff who have been trained in plain language principles may conduct the review and may consult with the Coordinator and the Office of Press and Communications for assistance.

The semi-annual document inventory mentioned in section VI.B above includes a plain language review. When documents are assessed for translation priority, the bureau liaison should make note of which documents need to be drafted into plain language, regardless of whether they will be translated.

F. Web Content

Web content refers to information the Department makes available on the internet, including written text, video recording, and audio recording. It includes content available on the Department website, other Commonwealth sites, and social media platforms.

The Department's Office of Press and Communications and the Language Access Coordinator will review Department-produced web content to ensure it is accessible for people who are LEP or deaf or hard of hearing.

In general, the determination to make web content available in other languages is made using the same four-factor analysis mentioned in section VI.D above.

Written Web Content

After the adoption of this Plan, all new written content created by the Department must be reviewed for plain language before it is published online. This helps optimize machine translations produced by web browser or web page add-ons, such as Google Translate.

Documents and Other Media

When documents or other media published online are available in other languages, the page where the English media appears will prominently display links to the media in other languages.

The Department of State includes closed captions in English for all videos it produces, and may translate the captions into other languages, based on the result of the four-factor analysis listed above.

Web Applications

A web application is a program that is stored on a remote server and delivered over the internet through a web browser. The Department may translate web applications in full or in part as necessary, with the determination made according to the four-factor analysis.

G. Notice

The Department of State website includes a page dedicated to language access. Key components of this Plan will be included in the web page contents so that they may be translated into other languages using the web page ad-on Google Translate. This Plan is also available on the page in its entirety.

The Department makes the following notices available to the public:

- Each page of the Department's website states that language services are available and provides a link to the Department's web page on language access.
- In each bureau that provides walk-in services, signs are posted in the most commonly used languages that interpreters are available.
- Community organizations are notified when this Plan is finalized and when it is updated.

VII. Monitoring and Evaluation

A. Complaints

The Department of State tracks and responds to complaints about the availability and quality of language services provided by the Department. Complaints may be submitted in a number of ways, including through a standard complaint form on the Department of State website. Complaints are received by the Language Access Coordinator and reviewed for appropriate resolution. The Department of State will acknowledge receipt of a complaint within five (5) days and respond to the complaint within a reasonable amount of time.

Bureaus may also receive complaints related to language access by email or via a web application such as the Pennsylvania Licensing System. All complaints related to language services must be shared with the Language Access Coordinator. The complaints may not require the involvement of the Coordinator to resolve, but they are reviewed in order to identify trends and areas for improvement.

B. Reporting

For the purposes of monitoring and evaluation, each bureau is responsible for recording the following information:

1. The number of non-English calls.
2. The number of requests for telephonic interpretation.
3. The number of requests for in-person interpretation.
4. The languages for which interpretation is requested.
5. The type of service being accessed in each instance that interpretation is provided.
6. The preferred language for clients submitting a form in person or online.
7. The preferred language for users of web applications.
8. The number and type of documents translated into non-English languages.

In addition, as a best practice, bureaus should record information about the location of the persons requesting services. This may inform how resources are distributed in the future, or where to focus outreach activities.

Each liaison must work with the Language Access Coordinator to implement standardized questions and data collection methods for requesting information from clients. The liaisons should also work with the Coordinator to identify other available information the Department may want to monitor. The Coordinator will provide a standard template for reporting this information.

C. Internal Review

Monitoring involves regular re-assessment and priority-setting. The Language Access Coordinator works with each bureau liaison to identify needs and set goals and deadlines for regular review.

- Quarterly, liaisons will report the data listed under section VII.B of this Plan to the Language Access Coordinator in a manner prescribed by the Coordinator.
- Every six (6) months, the language access coordinator will review the cost incurred by each bureau in the delivery of language services.

- Every six (6) months, the liaisons review their documents for translation and provide an updated inventory to the Coordinator.
- Every six (6) months the Language Access Coordinator and the bureau liaisons meet to discuss successes, challenges, and goals for improvement.
- Once a year, the Department of State Policy Office and the Office of the Secretary will conduct a formal review of the Language Access Plan implementation progress.
- Every two (2) years, the Language Access Plan will be formally reviewed, revised and updated, if appropriate, in an effort to continually improve language access at the Department.

D. Implementation Timeline

The following is the timeline for implementation of the Language Access Plan. It is contingent on staff, funding, and resource availability.

Within six (6) months after the Plan is effective, the Department will implement the following sections of this Plan:

- Language Interpretation
- Notice
- Complaints
- Reporting

Within one year after the plan is effective, the Department will implement the following sections of this Plan:

- Document Translation
- Plain Language
- Web Content

After one year, this plan will be fully operational.

Appendix A: Census Data

Languages other than English spoken at home in PA ⁶

		# of people in PA	% of PA pop.
1	Spanish	563,727	4.67%
2	Chinese (incl. Mandarin, Cantonese)	83,429	0.69%
3	Yiddish, Pennsylvania Dutch or other W. Germanic lang.	69,439	0.58%
4	German	45,578	0.38%
5	Italian	39,731	0.33%
6	French (incl. Cajun)	37,425	0.31%
7	Vietnamese	37,344	0.31%
8	Russian	36,957	0.31%
9	Arabic	35,016	0.29%
10	Korean	29,158	0.24%
11	Hindi	23,381	0.19%
12	Other Indo-European languages	20,630	0.17%
13	Polish	20,094	0.17%
14	Gujarati	18,878	0.16%
15	Haitian	18,592	0.15%
16	Ukrainian or other Slavic lang.	18,091	0.15%
17	Nepali, Marathi, or other Indic lang.	17,295	0.14%
18	Tagalog (incl. Filipino)	15,617	0.13%
19	Yoruba, Twi, Igbo, or other lang. of Western Africa	14,050	0.12%
20	Greek	13,579	0.11%
21	Portuguese	13,395	0.11%
22	Malayalam, Kannada, or other Dravidian lang.	12,836	0.11%
23	Telugu	11,362	0.09%
24	Khmer	11,169	0.09%
25	Urdu	10,736	0.09%
26	Other languages of Asia	9,834	0.08%
27	Bengali	9,528	0.08%
28	Other and unspecified lang.	8,141	0.07%
29	Serbo-Croatian	7,337	0.06%
30	Tamil	6,715	0.06%
31	Hebrew	6,653	0.06%
32	Japanese	6,435	0.05%
33	Swahili or other lang. of Central, Eastern, and Southern Africa	6,310	0.05%
34	Amharic, Somali, or other Afro-Asiatic languages	5,208	0.04%
35	Persian (incl. Farsi, Dari)	5,128	0.04%

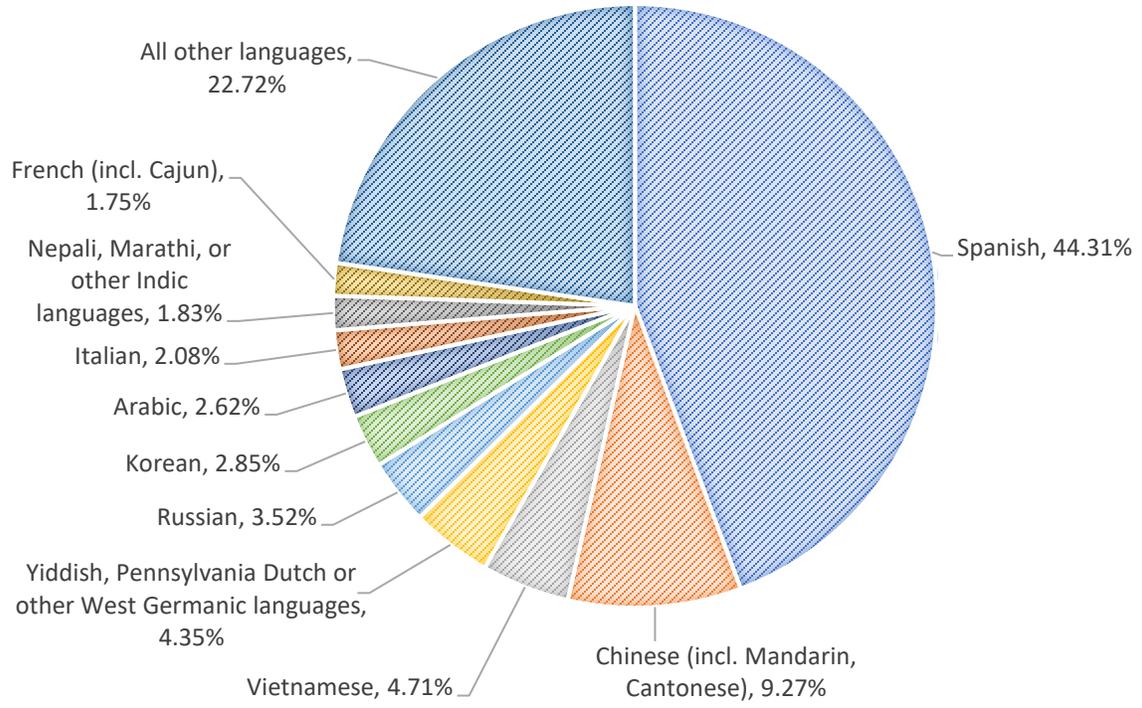
⁶ Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

36	Ilocano, Samoan, Hawaiian, or other Austronesian lang.	5,058	0.04%
37	Punjabi	4,806	0.04%
38	Thai, Lao, or other Tai-Kadai lang.	4,050	0.03%
39	Armenian	1,780	0.01%
40	Other Native lang. of North America	1,018	0.01%
41	Hmong	835	0.01%
42	Navajo	62	0.00%

Top Languages Spoken at Home in PA, by Persons Who Speak English Less Than “Very Well”

		# of people in PA	% of PA pop.
1	Spanish	222,065	1.84%
2	Chinese (incl. Mandarin, Cantonese)	46,453	0.38%
3	Vietnamese	23,602	0.20%
4	Yiddish, Pennsylvania Dutch or other West Germanic languages	21,808	0.18%
5	Russian	17,635	0.15%
6	Korean	14,297	0.12%
7	Arabic	13,115	0.11%
8	Italian	10,432	0.09%
9	Nepali, Marathi, or other Indic languages	9,171	0.08%
10	French (incl. Cajun)	8,749	0.07%
11	German	8,484	0.07%
12	Other Indo-European languages	8,128	0.07%
13	Gujarati	7,391	0.06%
14	Haitian	7,047	0.06%
15	Polish	6,736	0.06%
16	Ukrainian or other Slavic languages	6,541	0.05%
17	Khmer	6,220	0.05%
18	Portuguese	5,289	0.04%
19	Malayalam, Kannada, or other Dravidian languages	5,006	0.04%
20	Hindi	4,971	0.04%

LANGUAGES SPOKEN BY PEOPLE WHO SPEAK ENGLISH LESS THAN "VERY WELL"



Appendix B: Supporting Documents

The following documents are maintained by the Language Access Coordinator and are available to Department staff:

- Language Access Plan Implementation Matrix
- Telephonic Interpretation Training and Instruction Materials
- Instructions for Requesting an In-person Interpreter
- Working with Interpreters Tip Sheet
- Instructions for Requesting Document Translation
- Instructions for Conducting a Plain Language Review