

LEGISLATIVE DIGEST
Revised 5/6/2024

[Administrative, Campaign and Governmental Conduct Codes - Language Access Ordinance]

Ordinance amending the Administrative Code to amend the Language Access Ordinance to clarify Departments' responsibilities to provide language access services to members of the public, and to clarify the role of the Office of Civic Engagement and Immigrant Affairs in administering the Language Access Ordinance; to require language access service be provided in Chinese, Spanish, Filipino, and any other language for which the requisite number of persons qualify as a Substantial Number of Limited English Proficient Persons; to lower the threshold amount for the requisite number of persons needed to meet the definition of Substantial Number of Limited English Proficient Persons; to amend the formula for determining when a language becomes eligible for language access services; to require Departments to translate signage; to require Departments to translate digital content provided on digital platforms; to clarify that crisis situations also includes but is not limited to pandemics, refugee relief, and disaster-related activities emergency response, and public safety incidents that impact and effect the community; to require departments that provide emergency response services in the event of a crisis situation or disaster-related services, involving an immediate threat of serious harm, mass casualties, conditions of natural disaster, or conditions posing extreme peril to the safety of persons and property to provide language access services; to rename the Annual Compliance Plan to Annual Compliance Report; to impose requirements for the Language Access Ordinance Summary Report; to require Departments to inform members of the public of their right to file a complaint, and of a process for providing feedback on the Department's Language Access Services; to require Office of Civic Engagement and Immigrant Affairs to create a know-your-rights brochure; to require Departments' posting notice of the availability of Language Access Services and a know-your-rights brochure; to require Departments to budget and plan for delivery of Language Access Services; to require Office of Civic Engagement and Immigrant Affairs to prepare an investigation summary report of each investigation that will include findings and recommendation to address the issues raised, and to create and maintain a website for the posting of investigation summary reports; and to delete the financial disclosure requirement for Immigrant Rights Commission members.

Existing Law

Currently, all City departments that provides information or services to the public or interacts with the public are required to provide language access services. All City departments are required to translate certain written materials. All City Boards, Commissions, advisory bodies,

and Departments are required to provide language access services at public meetings and hearings. All Departments are required to submit an annual compliance plan

Amendments to Current Law

If these amendments pass, this legislation would:

1. Update the findings;
2. Clarify Departments' responsibilities to provide language access services to members of the public, and to clarify the role of the Office of Civic Engagement and Immigrant Affairs in administering the Language Access Ordinance;
3. Require Department's to provide language access service in Chinese, Spanish, Filipino, and any other language for which the requisite number of persons qualify as a Substantial Number of Limited English Proficient ("LEP") Persons;
4. Amend the formula for determining when a language becomes eligible for language access services;
5. Require Departments to translate signage;
6. Require Departments to translate digital content provided on digital platforms;
7. Rename the Annual Compliance Plan to Annual Compliance Report;
8. Impose requirements for the Language Access Ordinance Summary Report;
9. Require Departments to inform members of the public of their right to file a complaint, and of a process for providing feedback on the Department's Language Access Services;
10. Require Office of Civic Engagement and Immigrant Affairs ("OCEIA") to create a know-your-rights brochure;
11. Clarify that crisis situation also includes pandemics, emergency response, and public safety incidents that impact and effect the community;
12. Require Departments' posting notice of the availability of Language Access Services and a know-your-rights brochure;
13. Require Departments to budget and plan for delivery of Language Access Services;
14. Require OCEIA to prepare an investigation summary report of each investigation that will include findings and recommendation to address the issues raised, and to create and maintain a website for the posting of investigation summary reports; and
15. Delete the financial disclosure requirement for Immigrant Rights Commission ("IRC") members.

On May 6, 2024, the following changes were made in Rules Committee:

1. Update the findings to reflect legislative changes to the Dymally-Alatorre Bilingual Services Act, California Government Code section 7299.7, which now requires language services in certain emergencies;
2. Expand the definition of LEP Person to include any person's preference to conduct the interaction in their native language;
3. Include a definition for Public Service Announcement;

4. Lower the annual threshold amount from 10,000 to 6,000 of City residents with limited English proficiency who will receive language access services;
5. Require Departments to maintain an up-to-date list of employees and languages they offer through the use of Bilingual Employees;
6. Require Departments to provide upon request certain written materials into a language not captured by the required languages;
7. Require the City's emergency response Departments to provide language access services in the event of crisis situations and disaster-related activities in compliance with Cal. Govt. Code section 7299.7;
8. Require OCEIA to translate the key findings and recommendations of the Language Access Ordinance Summary Report in the required languages;
9. Require Departments to maintain data based on the Language Access Services provided to the public;
10. Require Departments to provide upon request Language Access Services in languages not covered by the required languages that provide vital information to the public about the Department's services or programs;
11. Require OCEIA to maintain a standardized vocabulary list and require Departments to use it; and
12. Clarify the IRC's advisory role with respect to the Language Access Ordinance.

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