

LEGISLATIVE DIGEST

[Administrative Code - Language Access Requirements for Departments]

Ordinance amending the Administrative Code to expand the scope of the Language Access Ordinance to apply to all City Departments that provide information or services directly to the public or interacts with the public, revise compliant procedures; and enhance the annual departmental compliance plan requirement.

Existing Law

Chapter 91 of the Administrative Code sets forth language access requirements for all departments. The Language Access Ordinance requires City departments that are classified as Tier 1 departments to translate written materials that provide vital information to the public about the departments services or programs. Departments that are classified as Tier 2 departments are required to translate all publicly posted documents.

The threshold limit for determining whether a City department is required to provide language services in a language other than English is determined by either 10,000 City residents or 5 percent of those persons who use the department's services.

Tier 1 departments are required to submit an Annual Compliance Plan to the Mayor's Office, the Immigrant Rights Commission, and Office of Civic Engagement & Immigrant Affairs (OCEIA).

Amendments to Current Law

This legislation will abandon the Tier 1 and Tier 2 department classification and expand the scope of the Language Access Ordinance to apply to all City departments that provide information or services directly to the public or interacts with the public. Departments may request an exemption or partial exemption from the requirements of the Ordinance if the Department's programs or services do not meet the definition of "Department service or program" contained in Section 91.2.

This legislation will no longer require City departments to determine whether 5 percent of those who use their services speak another language other than English. The threshold limit for determining whether a City department is required to provide language services in a language other than English is 10,000 City residents who share another language.

Before OCEIA may certify a language according to the threshold limit, it must inform all City departments of its determination and post it on its website for 120 days. During that time, OCEIA may conduct a study to verify the accuracy of the threshold limit.

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Departments are required to translate websites and publicly posted signage. Departments are allowed to prioritize translation of written materials by giving the highest priority to materials that affect public safety and critical services.

The complaint process is revised to set forth a timeline for resolving complaints.

The Annual Compliance Plan is revised to clarify the information that would be useful in evaluating language access services and require departments to submit the report to OCEIA only.

OCEIA is required to submit the Language Access Ordinance Summary report to the Board of Supervisors. This report will summarize the departments' annual compliance plans and provide statically updated information for City residents who are "Limited English Speaking Persons."

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