

1 [Endorsing the 2011 Annual Language Access Ordinance Compliance Report]

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3 **Resolution endorsing “Language Matters: Language Access Ordinance Annual**
4 **Compliance Summary Report, July 2011,” issued by the Office of Civic Engagement &**
5 **Immigrant Affairs.**

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7 WHEREAS, Language Access is a civil right affirmed at every level of government,
8 including the Civil Rights Act of 1964 and the 1974 U.S. Supreme Court ruling on Lau v.
9 Nichols; and

10 WHEREAS, Language access is an essential key to full and meaningful participation in
11 a democracy for many immigrant and newcomer communities; and

12 WHEREAS, San Francisco is one of the most culturally rich and linguistically diverse
13 cities in the nation with over a third of the population immigrant and nearly half speaking a
14 language other than English at home; and

15 WHEREAS, The San Francisco Board of Supervisors views the City’s language
16 diversity as a competitive advantage in a global economy; and

17 WHEREAS, The San Francisco Board of Supervisors enacted the Equal Access to
18 Services Ordinance in 2001 and amended it in 2009 as the Language Access Ordinance
19 (LAO); and

20 WHEREAS, The LAO is one of the strongest language access laws in the nation,
21 demonstrating San Francisco’s ongoing commitment to equal and full access to services and
22 timely information; and

23 WHEREAS, The Immigrant Rights Commission has been an early champion of
24 language rights and equal access to city services for all residents, including residents who are
25 non or Limited-English speaking; and

1 WHEREAS, The Office of Civic Engagement & Immigrant Affairs is charged with
2 monitoring compliance and ensuring that the LAO is implemented with the highest level of
3 integrity; and

4 WHEREAS; As required by the LAO, the Office of Civic Engagement & Immigrant
5 Affairs has analyzed the language access progress by City departments and prepared a
6 summary report entitled “Language Matters: Language Access Ordinance Annual
7 Compliance Summary Report, July 2011;” and

8 WHEREAS, The report includes community input, provides fact-based findings, and
9 makes concrete recommendations on strengthening LAO efficacy and better serving Limited
10 English Proficient (LEP) residents; and

11 WHEREAS, The report finds that Tier 1 departments (Adult Probation, Elections,
12 Human Services, Public Health, Fire, Emergency Management, Juvenile Probation, Municipal
13 Transportation Agency, Police, Public Defender, Residential Rent Stabilization and Arbitration
14 Board, Sheriff, Airport, Assessor Recorder, City Hall Building Management, Building
15 Inspection, Environment, Public Library, Office of Economic and Workforce Development,
16 Planning, Public Works, Public Utilities Commission, Recreation and Park, Treasurer and Tax
17 Collector, and Zoo) are generally making good faith efforts to comply with the LAO but
18 continue to face significant challenges to full compliance; and

19 WHEREAS, The report finds that common obstacles include budgetary limitations, the
20 lack of priority placed on language access given other demands, the lack of dedicated LAO
21 compliance personnel to ensure quality control, absence of written protocols for serving LEP
22 clients, limited LEP client data collection, insufficient expectations and standards for bilingual
23 staff, inadequate complaint procedures, few or no translated documents, and the failure to
24 contract with a telephonic interpretation vendor; and

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1 WHEREAS, The report finds that while 44 percent of reported LEP client interactions
2 were in Cantonese, only 27 percent of the reported bilingual public contact staff speak
3 Cantonese; and

4 WHEREAS, The report finds that 58 percent of departments reported that they do not
5 offer training for bilingual staff, while others rely on significantly varied training mechanisms;
6 and

7 WHEREAS, The report finds that numerous percent of processes and protocols to
8 ensure accurate and appropriate translations during emergency situations vary significantly
9 among departments, and 62 percent of Tier 1 departments reported no having written
10 protocols for serving LEP clients in emergency situations; and

11 WHEREAS, The report finds that community-based organizations report numerous
12 cases of insufficient language access, lack of in-language complaint information and slow
13 response to requests for language assistance, and 62 percent of departments do not publicly
14 post procedures of accepting and resolving complaints of alleged violations of the LAO; and

15 WHEREAS, the report finds that there is a lack of consistency in how departments
16 collect and report LAO data, and a decrease in reported client LEP interactions is likely due to
17 changes in departments' methodologies for tracking client interactions, staff turnover, and
18 lack of training, rather than lower demand or fewer LEP clients; and

19 WHEREAS, the report finds that many Tier 2 departments do not comply with the
20 basic requirements of the LAO because they are unaware of its applications, lack training, or
21 lack capacity due to small department size; and

22 WHEREAS, On July 11, 2011, the San Francisco Immigrant Rights Commission voted
23 unanimously to adopt the findings in the 2011 language access compliance report; now,
24 therefore be it

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1 RESOLVED, That the San Francisco Board of Supervisors recognizes and endorses
2 the findings in “Language Matters: Language Access Ordinance Annual Compliance
3 Summary Report, July 2011;” and be it

4 FURTHER RESOLVED, That the San Francisco Board of Supervisors is concerned
5 with the report’s findings, remains committed to improving and increasing the City’s capacity
6 to meet the needs of language diverse residents, and encourages all City agencies providing
7 information to the public to increase their language access efforts.

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