

File No. 141149

Committee Item No. 15

Board Item No. 2

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date February 12, 2015

Board of Supervisors Meeting

Date March 3, 2015

Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 - Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Youth Commission Recommendations</u> |
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Completed by: Alisa Somera Date February 6, 2015
Completed by: Alisa Somera Date February 19, 2015

1 [Administrative Code - Language Access Requirements for Departments]

2

3 **Ordinance amending the Administrative Code to expand the scope of the Language**
4 **Access Ordinance to apply to all City Departments that provide information or services**
5 **directly to the public, revise complaint procedures, and enhance the annual**
6 **departmental compliance plan requirement.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Chapter 91 of the Administrative Code is hereby amended by adding new
16 Sections 91.3 and 91.134, revising existing Sections 91.1-91.18, and renumbering those
17 Sections so that the Chapter consists of Sections 91.1-91.189, to read as follows:

18 **SEC. 91.1. PURPOSE AND FINDINGS.**

- 19 (a) Title. This Chapter 91 shall be known as the "Language Access Ordinance."
- 20 (b) Findings.

21 (1) The Board of Supervisors finds that San Francisco provides an array of
22 services that can be made accessible to persons who are not proficient in the English
23 language. The City of San Francisco is committed to improving the accessibility of these
24 services and providing equal access to them.

25

1 (2) The Board finds that despite a long history of commitment to language
2 access as embodied in federal, state and local law, beginning with the landmark Civil Rights
3 Act of 1964, there is still a significant gap in the provision of governmental services to
4 limited-English language speakers.

5 (3) In 1973, the California State Legislature adopted the Dymally-Alatorre
6 Bilingual Services Act, which required state and local agencies to provide language services
7 to non-English speaking people who comprise 5% or more of the total state population and to
8 hire a sufficient number of bilingual staff.

9 (4) In 1999, the California State Auditor concluded that 80% of state agencies
10 were not in compliance with the Dymally-Alatorre Act, and many of the audited agencies were
11 not aware of their responsibility to translate materials for non-English speakers.

12 (5) In 2001, in response to these findings, the San Francisco Board of
13 Supervisors enacted the Equal Access to Services Ordinance, which required major
14 departments to provide language translation services to limited-English proficiency individuals
15 who comprise 5% or more of the total city population.

16 (6) *Eight years later, The Board enacted a number of significant changes to the*
17 *Ordinance in 2009 and renamed it the Language Access Ordinance. Since the Language Access*
18 *Ordinance was amended in 2009, City Departments have made significant progress in providing*
19 *improved access to services. The Board finds, however, that differential access to City services still*
20 *exists due to significant gaps remain in language access consistency, quality, budgeting and*
21 *implementation across Departments. in language services, lack of protocols for departments to*
22 *procure language services, low budgetary prioritization by departments for language services.*

23 (7) The Board finds that *the lack of gaps in language services access can* seriously
24 affect San Francisco's ability to serve all of its residents. *A 2006 survey by The United States*
25 *Census Bureau's 2008-2012 American Community Survey found reveals that 45.36% of San*

1 Franciscans are foreign-born and 45.2% over the age of five speak a language other than English at
2 home. City residents speak more than 28 different languages. More than 112 languages are spoken in
3 the San Francisco Bay Area, with at least 28 different languages spoken in the City alone. Three
4 languages currently have at least 10,000 or more Limited English Persons: Chinese, Spanish and
5 Tagalog. Among the 2421% of the total City population who self-identify as limited-English
6 speakers, 5057% are Chinese speakers, 23.7% are Spanish speakers, 6% are Tagalog
7 speakers, 5% are Russian speakers, and 3.8% are Vietnamese speakers. 4% speak Tagalog.
8

9 **SEC. 91.2. DEFINITIONS.**

10 As used in this Chapter 91, the following capitalized terms shall have the following
11 meanings:

12 "Advisory Body" shall mean a body other than a City Board or City Commission that is
13 created by ordinance for the purpose of providing policy advice to the Board of Supervisors,
14 the Mayor, or City Departments.

15 (a) "Annual Compliance Plan" is set forth in Section 91. 1110 of this Chapter.

16 (b) "Bilingual Employee" shall mean a City employee who is proficient in the English
17 language and in one or more non-English Language. who is fluent in both English and a second
18 language and who is able to conduct the department's business in both languages. A bilingual
19 employee shall include a City employee who (i) is in a classification that provides information or direct
20 services to the public requiring language proficiency in English and a second language; or (ii) is either
21 a certified interpreter or translator by the Department of Human Resources or accredited training or
22 academic institution; or (iii) receives premium pay and regularly and continuously uses the second
23 language in his or her city employment; or (iv) is self-designated as competent in a second language
24 for purposes of sporadic translation services.

25 (c) "City" shall mean the City and County of San Francisco.

1 "City Boards" shall mean all boards listed in Campaign and Governmental Conduct
2 Code section 3.1-103(a)(1).

3 "City Commissions" shall mean all commissions listed in Campaign and Governmental
4 Conduct Code section 3.1-103(a)(1).

5 ~~(d)~~ "Commission" shall mean the Immigrant Rights Commission.

6 ~~(e)~~ "Concentrated Number of Limited English Speaking Persons" shall mean either
7 5% ~~percent~~ of the population of the District in which a Covered Department Facility is located
8 or 5% ~~percent~~ of those persons who use the services provided by the Covered Department
9 Facility. The Office of Civic Engagement and Immigrant Affairs ("OCEIA") shall determine
10 annually whether 5% ~~percent~~ or more of the population of any District in which a Covered
11 Department Facility is located are Limited English Speaking Persons who speak a shared
12 language other than English. ~~The Office of Civic Engagement and Immigrant Affairs~~ OCEIA shall
13 make this determination by referring to the best available data from the United States Census
14 Bureau or other reliable source and shall certify its determination to all City Departments and
15 the Commission no later than ~~December 4~~ January 31st of each year. Each Department shall
16 determine annually whether 5% ~~percent~~ or more of those persons who use the Department's
17 services at a Covered Department Facility are Limited English Speaking Persons who speak a
18 shared language other than English ~~using either of the following methods specified in Section~~
19 91.2(k) of this Chapter and report that determination in the Department's Annual Compliance Plan.
20 Departments shall make this determination using one of the following methods:

21 (1) Conducting an annual survey of all contacts with the public made by the
22 Department during a period of at least two weeks, at a time of year in which the Department's public
23 contacts are to the extent possible typical or representative of its contacts during the rest of the year,
24 but before developing its Annual Compliance Plan required by Section 91:11 of this Chapter; or

25 (2) Analyzing information collected during the Department's intake process for
all clients, including walk-ins and scheduled appointments. The information gathered using either
method shall also be broken down by Covered Department Facility to determine whether 5% ~~percent~~

1 or more of those persons who use the Department's services at a Covered Department Facility are
2 Limited English Speaking Persons who speak a shared language other than English; or

3 (3) Analyzing and calculating the total annual number of requests for telephonic
4 language translation services categorized by language that Limited English Speaking Persons make to
5 the Department based on the Department's telephonic translation services monthly bills, official
6 telephone logs, or any other reasonable method used for data collection.

7 ~~(f)~~ "Covered Department Facility" shall mean any Department building, office, or
8 location that provides direct services to the public and serves as the workplace for 5 or more
9 full-time City employees.

10 ~~(g)~~ "Department(s)" ~~shall mean both Tier 1 Departments and Tier 2 Departments.~~ shall mean
11 any City Department, agency or office with a service or program that provides information or services
12 directly to the public, or interacts with the public.

13 ~~(h)~~ "Department's sService or pProgram" shall mean anything a City Department, agency, or
14 office provides that involves direct services to the public as part of ongoing operations and those direct
15 services directly administered by the Department, agency, or office for program beneficiaries and
16 participants. Activities include, but are not limited to, information provided to or communication with
17 the public, spaces or department facilities used by the public, and programs that provide direct services
18 to the public.

19 "Direct Services to the Public" shall mean any service that requires City employees to provide
20 responses to inquiries about official documents, licenses, financial matters, and benefits that are
21 related to the public's health, safety, and general welfare.

22 "Districts" shall refer to the 11 geographical districts by which the people of the City
23 elect the members of the City's Board of Supervisors. ~~If the City should abandon the district~~
24 ~~election system, the Commission shall have the authority to draw 11 district boundaries for the~~
25 ~~purposes of this Chapter that are approximately equal in population.~~

1 "Emerging Language Population" shall mean at least 2.5% percent but less than 5 %percent
2 of the population who use a Department's services, or at least 5,000 but less than 10,000 City
3 residents, who speak a shared language other than English.

4 "Language Access Services" shall mean translation and interpretation services for both verbal
5 and written communication.

6 ~~(f)~~ "Limited English Speaking Person" shall mean an individual who does not speak
7 English well or is otherwise unable to communicate effectively in English because English is
8 not the individual's primary language.

9 ~~(f)~~ "OCEIA" shall mean the Office of Civic Engagement & Immigrant Affairs or any
10 successor agency.

11 ~~(f)~~ "Public Contact Position" shall mean a position, a primary job responsibility of which,
12 consists of meeting, contacting, and dealing with the public in the performance of the duties of
13 that position.

14 ~~(f)~~ "Substantial Number of Limited English Speaking Persons" shall mean *either*
15 10,000 ~~limited English Speaking~~ City residents, who speak a shared language other than English,
16 or 5 percent of those persons who use the Department's services. The Office of Civic Engagement and
17 Immigrant Affairs OCEIA shall determine annually whether at least 10,000 ~~limited English~~
18 speaking City residents speak a shared language other than English. ~~OCEIA The Office of~~
19 ~~Civic Engagement and Immigrant Affairs~~ shall make this determination by referring to the best
20 available data from the United States Census Bureau or other reliable source and shall certify
21 its determination to Departments and the Commission no later than ~~December 1~~ January 31st of
22 each year. ~~Each Department shall determine annually whether 5 percent or more of those Limited~~
23 ~~English Speaking Persons who use the Department's services Citywide speak a shared language other~~
24 ~~than English. Prior to certifying any new language as set forth in this subsection, OCEIA shall comply~~

1 ~~with the provisions in Chapter 91.461516(e). Departments shall make this determination using one of~~
2 ~~the following methods:~~

3 ~~————— (1) Conducting an annual survey of all contacts with the public made by the~~
4 ~~Department during a period of at least two weeks, at a time of year in which the Department's public~~
5 ~~contacts are to the extent possible typical or representative of its contacts during the rest of the year,~~
6 ~~but before developing its Annual Compliance Plan required by Section 91.1110 of this Chapter; or~~

7 ~~————— (2) Analyzing information collected during the Department's intake process. The~~
8 ~~information gathered using either method shall also be broken down by Covered Department Facility~~
9 ~~to determine whether 5 percent or more of those persons who use the Department's services at a~~
10 ~~Covered Department Facility are Limited English Speaking Persons who speak a shared language~~
11 ~~other than English for purposes of Section 91.2(e) of this Chapter; or~~

12 ~~————— (3) Analyzing and calculating the total annual number of requests for telephonic~~
13 ~~language translation services categorized by language that Limited English Speaking Persons make to~~
14 ~~the Department garnered from monthly bills generated by telephonic translation services vendors~~
15 ~~contracted by Department.~~

16 ~~(4) "Tier 1 Departments" shall mean the following City departments: Adult Probation~~
17 ~~Department, Department of Elections, Department of Human Services, Department of Public Health,~~
18 ~~District Attorney's Office, Department of Emergency Management, Fire Department, Human Services~~
19 ~~Agency, Juvenile Probation Department, Municipal Transportation Agency, Police Department, Public~~
20 ~~Defender's Office, Residential Rent Stabilization and Arbitration Board, Sheriff's Office. Beginning~~
21 ~~July 1, 2010, the following departments shall be added to the list of Tier 1 Departments: San Francisco~~
22 ~~International Airport, Office of the Assessor Recorder, City Hall Building Management, Department of~~
23 ~~Building Inspection, Department of the Environment, San Francisco Public Library, Mayor's Office of~~
24 ~~Economic and Workforce Development, Planning Department, Department of Public Works, Public~~
25

1 ~~Utilities Commission, Recreation and Park Department, Office of the Treasurer and Tax Collector, and~~
2 ~~the San Francisco Zoo.~~

3 ~~(m) "Tier 2 Departments" shall mean all City departments not specified as Tier 1 Departments~~
4 ~~that furnish information or provide services directly to the public.~~

5
6 **SEC. 91.3. SCOPE.**

7 This Chapter 91 ordinance shall apply to any Department, agency, or office program or
8 service that provides direct services to the public.

9
10 **SEC. 91.43. ACCESS TO LANGUAGE SERVICES. UTILIZATION OF BILINGUAL**
11 **EMPLOYEES.**

12 (a) Utilizing sufficient Bilingual Employees in Public Contact Positions, ~~Tier 1~~
13 Departments shall provide information and services to the public in each language spoken by
14 a Substantial Number of Limited English Speaking Persons or to the public served by a
15 Covered Department Facility in each language spoken by a Concentrated Number of Limited
16 English Speaking Persons. ~~Tier 1~~ Departments comply with their obligations under this
17 Section 91.4 if they provide the same level of service to Limited English Speaking Persons as
18 they provide English speakers.

19 (b) ~~Tier 1~~ Departments need only may consider implement the hiring Bilingual
20 Employees for public contact positions made available through retirement or normal
21 attrition requirements in the Language Access Ordinance by filling public contact positions
22 made vacant by retirement or normal attrition. Nothing herein shall be construed to authorize
23 the dismissal of any City employee in order to carry out the Language Access Ordinance.

24 (c) ~~All Departments shall inform Limited English Speaking Persons who seek services, in their~~
25 ~~native tongue, of their right to request translation services from all City Ddepartments.~~

1 (c) Prior to July 1, 2016, this Section 91.4 shall not apply to Departments that are
2 required under Section 91.12(a) to submit their initial Compliance Plans on October 1, 2016.
3 Thereafter, this Section shall apply to all City Departments.
4

5 **SEC. 91.54. TRANSLATION OF MATERIALS AND SIGNAGE.**

6 (a) ~~Tier 1~~ Except as provided in subsection 91.5(g), Departments shall translate the
7 following written materials that provide vital information to the public about the Department's
8 services or programs into the language(s) spoken by a Substantial Number of Limited English
9 Speaking Persons: applications or forms to participate in a Department's program or activity
10 or to receive its benefits or services; written notices of rights to, determination of eligibility
11 ~~foref,~~ award of, denial of, loss of, or decreases in benefits or services, including the right to
12 appeal any Department's decision; written tests that do not assess English language
13 competency, but test competency for a particular license or skill for which knowledge of
14 written English is not required; notices advising Limited English Speaking Persons of free
15 language assistance; materials, including publicly-posted documents, explaining a Department's
16 services or programs; complaint forms; ~~or any other written documents~~ related to direct services
17 to the public that could impact that have the potential for important consequences for the community or
18 an individual seeking services from or participating in a program of a City Department.
19 Notwithstanding the requirements of this subsection 91.5(a), translation of public hearing
20 notices, agendas, and minutes shall be governed by Section 91.7 of this Chapter.

21 ~~(b) Tier 2 Departments shall translate all publicly posted documents that provide information~~
22 ~~(1) regarding Department services or programs, or (2) affecting a person's rights to, determination of~~
23 ~~eligibility of, award of, denial of, loss of, or decreases in benefits or services into the language(s)~~
24 ~~spoken by a Substantial Number of Limited English Speaking Persons.~~
25

1 (be) Departments that post signage that provides information to the public with respect to the
2 Department's Service or Program shall make good faith efforts to translate those materials in the
3 languages as prescribed by a Substantial Number of Limited English Speaking Persons:
4 elsewhere in this Chapter 91;

5 (cd) Departments required to translate materials under this Section 91.5 shall prioritize
6 the translation of written materials by giving highest priority to materials that affect public safety and
7 critical services.

8 ~~(de) Departments required to translate materials under the provisions of this Section~~
9 91.5 shall post notices in the public areas of their facilities in the relevant language(s)
10 indicating that written materials in the language(s) and staff who speak the language(s) are
11 available. The notices shall be posted prominently and shall be readily visible to the public.

12 ~~(ed) Departments required to translate materials under the provisions of this Section~~
13 91.5 shall ensure that their translations are accurate and appropriate for the target audience.
14 Translations should match literacy levels of the target audience.

15 ~~(fe) Each Department shall designate a staff member with responsibility responsible for~~
16 ensuring that all translations of the Department's written materials meet the accuracy and
17 appropriateness standard set in ~~§~~ subsection ~~(ef)~~ of this Section 91.5. Departments are
18 encouraged to have their staff check the quality of written translations, but where a
19 Department lacks biliterate personnel, the responsible staff member shall obtain quality
20 checks from external translators. Departments may contact OCEIA for assistance in locating a
21 qualified translator or translation equipment. Departments are also encouraged to solicit
22 feedback on the accuracy and appropriateness of translations from bilingual staff at
23 community groups whose clients receive services from the Department. .

24 ~~(f) The newly added Tier 1 Departments as set forth in Section 91.2(l) shall comply with the~~
25 ~~requirements of this Section by January 31, 2011.~~

1 (g) Prior to July 1, 2016, subsection 91.5(a) shall not apply to Departments that are
2 required under Section 91.12(a) to submit their initial Compliance Plans on October 1, 2016.
3 Thereafter, Section 91.5(a) shall apply to all City Departments. But prior to July 1, 2016, any
4 Department not subject to subsection 91.5(a) shall translate into the language(s) spoken by a
5 Substantial Number of Limited English Speaking Persons all publicly-posted documents that
6 provide information (1) regarding the Department's services or programs, or (2) affecting a
7 person's rights to, determination of eligibility of, award of, denial of, loss of, or decreases in
8 benefits or services.

9
10 **SEC. 91.65. DISSEMINATION OF TRANSLATED MATERIALS FROM THE STATE AND**
11 **FEDERAL GOVERNMENT.**

12 If the State or federal government or any agency thereof makes available to a
13 Department written materials in a language other than English, the Department shall maintain
14 an adequate stock of the translated materials and shall make them readily available to
15 persons who use the Department's services.

16
17 **SEC. 91.76. PUBLIC MEETINGS AND HEARINGS.**

18 (a) City Boards, City Commissions, advisory bodies and City Departments shall ~~not~~
19 ~~automatically~~ translate meeting notices, agendas, ~~or~~ and minutes upon written request. When a
20 City Boards, City Commissions, and advisory bodies receives a written request for translated
21 meeting minutes, the body shall translate the meeting minutes only after the body adopts them and
22 within a reasonable time thereafter.

23 (b) City Boards, City Commissions, advisory bodies, and City Departments shall provide
24 oral interpretation or translation services in the language the member of the public requests at ~~of~~ any
25 public meeting or hearing, if requested at least 48 hours in advance of the meeting or hearing.

1 ~~(e) City Boards, City Commissions and City Departments shall translate meeting minutes if: (1)~~
2 ~~requested; (2) after the legislative body adopts the meeting minutes; and (3) within a reasonable time~~
3 ~~period thereafter.~~

4
5 **SEC. 91.78. RECORDED TELEPHONIC MESSAGES.**

6 All Departments with recorded telephonic messages about the Department's operation
7 or services shall maintain such messages in each language spoken by a Substantial Number
8 of Limited English Speaking Persons, or where applicable, a Concentrated Number of Limited
9 English Speaking Persons. Such Departments are encouraged to include in the telephonic
10 messages information about business hours, office location(s), services offered and the
11 means of accessing such services, and the availability of language assistance. ~~If the~~
12 ~~Department is governed by a Commission, the messages shall include the time, date, and~~
13 ~~place of the Commission's meetings.~~ The requirements of this Section 91.8 shall apply only
14 to recordings prepared by a Department to provide general information to the public about the
15 Department's operations and services, and shall not apply to voicemail recordings on City
16 employees' telephone lines.

17
18 **SEC. 91.89. CRISIS SITUATIONS.**

19 All ~~Tier 1~~ Departments involved in health-related emergencies, refugee relief, disaster-
20 related activities, and all other crisis situations shall work with OCEIA the Office of Civic
21 Engagement and Immigrant Affairs to include language service protocols in the Department's
22 Annual Compliance Plan.

23 During crisis, emergency, and public safety situations, all Departments involved shall prioritize
24 Language Access Services and to the extent feasible ensure bilingual staff are present and available to
25 assist Limited English Speaking Persons with critical needs. If the crisis, emergency or public safety

1 situations require the posting of warning signs, the Department shall translate those signs in the
2 required languages.

3
4 **SEC. 91.910. COMPLAINT PROCEDURE.**

5 (a) Complaint Process. OCEIA shall be responsible for accepting, investigating, and resolving
6 complaints from persons alleging violations of this Chapter 91. A person alleging that a Department
7 violated a provision of this Chapter may submit a complaint to OCEIA by either: (1) completing and
8 submitting a complaint form; or (2) calling OCEIA and speaking with an employee who will document
9 the complaint. Within 5 days of receiving the complaint, OCEIA shall notify the Department and
10 commence an investigation. OCEIA shall resolve all complaints within 30 days of their receipt unless
11 OCEIA finds good cause to extend the time resolving the complaint. OCEIA shall make a record of the
12 resolution of the complaint and what action, if any, was undertaken by the Department in response to
13 the complaint to ensure the Department's compliance with this Chapter 91.

14 ~~Departments shall allow persons to make complaints alleging violation of this Chapter to the~~
15 ~~Department in each language spoken by a Substantial Number of Limited English Speaking Persons.~~
16 ~~The Complaints may be made by telephone or by completing a complaint form.~~

17 (b) ~~Departments shall document actions taken to resolve each complaint and maintain copies~~
18 ~~of complaints and documentation of their resolution for a period of not less than 5 years. A copy of~~
19 ~~each complaint shall be forwarded to the Commission and the Office of Civic Engagement and~~
20 ~~Immigrant Affairs within 30 days of its receipt.~~

21 (b) Department's and City Board, City Commission, and Advisory Body's eComplaint
22 Procedure. If a Department or a City Board, a City Commission or a Advisory Body receives a
23 complaint from an individual, it shall immediately forward a copy of the complaint to OCEIA. The
24 Department in addition, it shall cooperate in good faith with OCEIA in resolving the complaint within
25 the applicable time frame.

1 (c) Annual Tracking of Complaints. OCEIA shall track the number of complaints received each
2 year and maintain copies of all complaints and documentation of their resolution for a period of not
3 less than 5 years.

4 (d) Quarterly Reports. On a quarterly basis, OCEIA shall submit a report to the Commission
5 containing the following information: (1) the number of complaints filed during that quarter, including
6 an analysis of individual cases with departmental trends; (2) the number of complaints filed for
7 the year-to-date; (3) a comparison of those numbers with the filings for the previous year; and (4) a
8 brief description of the nature of each complaint filed, including the Department named in the
9 complaint, the violation alleged, the proposed intervention, whether the complaint was resolved or
10 remains open, and what, if any, measures were implemented by the Department in response to the
11 complaint.

12
13 **SEC. 91.1011. ANNUAL COMPLIANCE PLAN.**

14 Using information collected during the preceding fiscal year beginning July 1 and ending June
15 30, ~~e~~Each Tier 1 Department shall draft an Annual Compliance Plan ~~containing~~ including all of
16 the following information, as well as any additional information OCEIA requires:

17 (a) A description of the Department's language access policy;

18 (b) The language services offered by the Department;

19 (~~c~~) The number and percentage of people who are Limited English Speaking Persons
20 who ~~actually~~ use the Tier 1 Department's services Citywide, listed by language other than
21 English, using ~~either one~~ a method described in the definition of Concentrated Number of Limited
22 English Speaking Persons in ~~ss~~Section 91.2(~~4~~) of this Chapter. Departments must include a
23 description of the methodology or data collection system used to make this determination;

24 (~~b~~) ~~The number and percentage of limited English speaking residents of each District in which~~
25 ~~a Covered Department Facility is located and persons who use the services provided by a Covered~~

1 ~~Department Facility, listed by language other than English, using either method in Section 91.2(k) of~~
2 ~~this Chapter;~~

3 ~~(c) A demographic profile of the Tier 1 Department's clients;~~

4 ~~(d) The number of Public Contact Positions in the Tier 1 Department;~~

5 ~~(de) The number A roster of Bbilingual Employees in Public Contact Positions, their titles,~~
6 ~~certifications of bilingual capacity, office locations, the language(s) other than English that the~~
7 ~~persons speak; excluding those bilingual employees who are self-designated as competent in a~~
8 ~~second language other than English;~~

9 ~~(ef) The name and contact information of the Tier 1 Department's language access~~
10 ~~coordinator liaison;~~

11 ~~(fg) A description of any use of telephone-based interpretation services, including the~~
12 ~~number of times telephone-based interpretation such services were used, and the language(s) for~~
13 ~~which they were used, and the number of times bilingual employees provided in-person~~
14 ~~interpretation services;~~

15 ~~(gh) An narrative explanatory assessment of the procedures used to facilitate~~
16 ~~communication with Limited English Speaking Persons, which shall include, but is not limited~~
17 ~~to, an evaluation assessment of the adequacy of the following procedures (1) the content of recorded~~
18 ~~telephonic messages provided to the public and the language of the message; (2) telephone requests for~~
19 ~~translation or interpretation services; (3) in-person requests for translation or interpretation services;~~
20 ~~and (4) public notices of the availability of translation or interpretation services upon request;~~

21 ~~(hi) Ongoing employee development and training strategy to maintain well trained~~
22 ~~bilingual employees and general staff. Employee development and training strategy should~~
23 ~~include a description of quality control protocols for bilingual employees; and a description of~~
24 ~~language service protocols for Limited English Speaking Persons individuals in crisis situations~~
25 ~~as outlined in Section 91.98;~~

1 ~~(f) A numerical assessment of the additional Bilingual Employees in Public Contact Positions~~
2 ~~needed to meet the requirements of Section 91.3 of this Chapter;~~

3 ~~(ik) If the Department determines that additional bilingual employees are needed assessments~~
4 ~~indicate a need for additional Bilingual Employees in Public Contact Positions to meet the~~
5 ~~requirements of Section 91.43 of this Chapter, the Department must provide a description of the~~
6 ~~Tier 1 Department's its plan for meeting those requirements the positions, including the number of~~
7 ~~estimated vacancies in Public Contact Positions;~~

8 (il) The name, title, and language(s) other than English spoken, (if any,) by the staff
9 member designated with responsibility for ensuring the accuracy and appropriateness of
10 translations for each language in which services must be provided under this Chapter 91;

11 (im) A list of the Tier 1 Department's written materials ~~required to be that have been~~
12 translated under this Chapter 91, the language(s) into which they have been translated, and
13 the persons who have reviewed the translated material for accuracy and appropriateness;

14 ~~(in) A description of the Tier 1 Department's procedures for accepting and resolving complaints~~
15 ~~of an alleged violation of this Chapter consistent with Section 91.9;~~

16 ~~(lo) A copy of the The Department's written policies on providing services to Limited~~
17 ~~English Speaking Persons, which Departments are annually obligated to review and to~~
18 ~~provide an updated copy to OCEIA;~~

19 (mp) A list of goals for the upcoming year and, for all Annual Compliance Plans except
20 the first, an assessment of the Tier 1 Department's success at meeting last year's goals;

21 (nq) ~~Annual budget allocation and strategy, including the total a~~ Annual expenditures from
22 the previous fiscal year for services that are related to language access including:

23 (1) Compensatory pay for bilingual employees who perform bilingual services,
24 excluding regular annual salary expenditures;

25 (2) Telephonic ~~translation~~ interpretation services provided by City vendors;

- 1 (3) Document translation services provided by City vendors;
2 (4) On-site language interpretation services provided by City vendors;
3 (5) The total projected budget to support progressive implementation of the
4 Department's language service plan;

5 (~~or~~) A Summary of changes between the Department's previous Annual Compliance
6 Plan submittal and the current submittal, including but not limited to: (1) an explanation of
7 strategies and procedures that have improved the Department's language services from the
8 previous year; and (2) an explanation of strategies and procedures that did not improve the
9 Department's language services and proposed solutions to achieve the overall goal of this
10 Language Access Ordinance; and

11 (~~ps~~) Any other information *requested by the Commission OCELA deems appropriate*
12 *necessary* for the implementation of this Chapter 91.

13
14 **SEC. 91.112. COMPLIANCE PLANS SUBMITTALS, LANGUAGE ACCESS ORDINANCE**
15 **SUMMARY REPORT, AND RECOMMENDATIONS FOR EMERGING LANGUAGE**
16 **POPULATIONS.**

17 (a) Compliance Plans Submittals. *The Director of each Tier 1 Department shall approve*
18 *and electronically file an annually file electronic copies of the Annual Compliance Plan by December*
19 *31st with the Mayor's Office, the Commission, and the Office of Civic Engagement and Immigrant*
20 *Affairs. All of the following entities shall submit their 2014-2015 Annual Compliance Plan on*
21 *October 1, 2015, and thereafter October 1st of each year: Adult Probation Department, City Hall*
22 *Building Management, Department of Building Inspection, Department of Elections, Department of the*
23 *Environment, Department of Emergency Management, Department of Human Services, Department of*
24 *Public Health, Department of Public Works, District Attorney's Office, Fire Department, Human*
25 *Services Agency, Juvenile Probation Department, Mayor's Office of Economic and Workforce*

1 Development, Municipal Transportation Agency, Office of the Assessor Recorder, Office of the
2 Treasurer and Tax Collector, Planning Department, Police Department, Public Defender's Office,
3 Public Utilities Commission, Recreation and Park Department, Residential Rent Stabilization and
4 Arbitration Board, San Francisco International Airport, San Francisco Public Library, San Francisco
5 Zoo, and Sheriff's Office shall submit their 2014-2015 Annual Compliance Plan on October 1,
6 2015, and thereafter October 1st of each year. All other Departments shall file their initial
7 Compliance Plan on October 1, 2016, and thereafter October 1st of each year. The Director of each
8 Department or his or her designee shall approve and electronically file submit an Annual Compliance
9 Plan that includes the required data and budget information with OCEIA.

10 (b) Language Access Ordinance Summary Report. Inclusion of Emerging Language
11 Populations in a written report to the Board. By March 1st of each year, the Office of Civic
12 Engagement and Immigrant Affairs Beginning on February 1, 2016, and annually thereafter, OCEIA
13 shall submit to the Commission and the Clerk of the Board of Supervisors a Language Access
14 Ordinance Summary Report which compiles and summarizes in a written report to the Clerk of the
15 Board of Supervisors all departmental Annual Compliance Plans. OCEIA shall also include in the
16 Language Access Ordinance Summary Report a current determination of: (1) the total number of
17 Limited English Speaking Persons in the City; (2) the number of Limited English Speaking Persons in
18 the City delineated according to language spoken; and (3) the number of Limited English Speaking
19 Persons for each District delineated according to language spoken.

20 (c) OCEIA may include in the Summary Report In the written report of the Clerk of the Board,
21 the Office of Civic Engagement and Immigrant Affairs may recommended appropriate changes to all
22 departmental Annual Compliance Plans in order to meet the needs of Eemerging Llanguage
23 Ppopulations. Emerging language populations is defined as at least 2.5 percent of the population who
24 use the Department's services or 5,000 City residents who speak a shared language other than English.

1 (de) By June 30th of each year, OCEIA~~the Office of Civic Engagement and Immigrant~~
2 ~~Affairs~~ may request a joint public hearing with the Board of Supervisors and the Commission
3 to assess the adequacy of the City's ability to provide the public with access to language
4 services.

5 (d) ~~The Office of Civic Engagement of Immigrant Affairs shall keep a log of all complaints~~
6 ~~submitted and report quarterly to the Commission.~~

7 (e) By October 1, 2015, each Department required under subsection 91.12(a) to file an
8 initial Compliance Plan on October 1, 2016 shall provide a written update to OCEIA regarding
9 the Department's plans to ensure future compliance with Section 91.4 and Section 91.5(a) of
10 this Chapter. The written update shall be in a format prescribed by OCEIA and shall include
11 any information requested by OCEIA regarding the Department's plans.

12
13 **SEC. 91.1213. RECRUITMENT.**

14 It shall be the policy of the City to publicize job openings for Departments' Public
15 Contact Positions as widely as possible including, but not limited to, in ethnic and non-English
16 language media.

17
18 **SEC. 91.14. DEPARTMENT RESPONSIBILITIES.**

19 In addition to the duties and responsibilities provided elsewhere in this Chapter 91,

20 Departments shall:

21 (a) Inform Limited English Speaking Persons who seek services, in their native tongue, of their
22 right to request translation services;

23 (b) Create and maintain a language access policy and review it annually;

24 (c) Designate a language access coordinator; and
25

1 (d) ~~Cooperate with OCEIA in the investigation of all alleged violations of this~~
2 Chapter; and

3 (de) Use good faith efforts to comply with the provisions of this Chapter 91 Ordinance.
4 Departments shall prioritize Language Access Services and comply with the provisions of this Chapter
5 91 Ordinance that are readily achievable. Over time, Departments shall fully comply with the
6 provisions of this Chapter 91 Ordinance.

7
8 **SEC. 91.1315. COMMISSION RESPONSIBILITIES.**

9 The Commission ~~is shall be~~ responsible for evaluating the requirements set forth in this
10 Chapter 91. The Commission's duties monitoring and facilitating compliance with this Chapter. Its
11 duties shall include: (a) reviewing all OCEIA reports; (b) reviewing complaints and OCEIA's
12 resolution of them; (c) recommending policy changes, including revisions to this Chapter or to the
13 Rules and Regulations adopted under Section 91.16 of this Chapter; (d) identifying new trends that
14 may present new challenges for language access; (e) identifying new practices that further the
15 objectives of this Chapter; and (f) conducting public hearings related to items (a) through (e).
16 conducting outreach to Limited English Speaking Persons about their rights under this Chapter;
17 reviewing complaints about alleged violations of this Chapter forwarded from Departments; working
18 with Departments to resolve complaints; maintaining copies of complaints and their resolution for not
19 less than 8 years, organized by Department; coordinating a language bank for Departments that
20 choose to have translation done outside the Department and need assistance in obtaining translators;
21 and reviewing Annual Compliance Plans.

22
23 **SEC. 91.1416. OFFICE OF CIVIC ENGAGEMENT AND IMMIGRANT AFFAIRS'**
24 **RESPONSIBILITIES.**

1 Subject to the budgetary and fiscal provisions of the Charter, ~~the City may adequately~~
2 ~~fund the OCEIA Office of Civic Engagement and Immigrant Affairs to may~~ provide a centralized
3 infrastructure for the City's language services and monitor and facilitate Departmental compliance
4 with this Chapter 91. OCEIA may ~~The Office of Civic Engagement shall: responsibilities include the~~
5 ~~following:~~

6 (a) Provide technical assistance for language services for all Departments, including
7 yearly trainings for department staff;

8 (b) Coordinate language services across Departments, including but not limited to
9 maintaining a directory of qualified language service providers for ~~the City Departments to~~
10 utilize and carry out their responsibilities under this Chapter 91, maintaining Language Access
11 Services, translations, and interpretations contracts for all City Departments, maintaining an
12 inventory of translation equipment, and providing assistance to Departments, the Board of
13 Supervisors, and the Mayor's Office in identifying bilingual staff;

14 (c) ~~Compileing and maintainig~~ a central repository for all Departments' translated
15 documents;

16 (d) ~~Providing~~ Departments with model Annual Compliance Plans; ~~and~~

17 (e) If OCEIA determines that at least 10,000 City residents who are Limited English Speaking
18 Persons share a language other than English and makes its determination pursuant to Section 91.2, it
19 shall notify all affected Departments and post that determination on its website for 120 days prior to
20 certifying the new language. During that time period, OCEIA may conduct a study to confirm that at
21 least 10,000 City residents who are Limited English Speaking Persons share a language other than
22 English. If OCEIA conducts such a study, the 120 days shall commence the day the study is published.
23 The certification of a ~~Ne~~ new language as a language spoken by a Substantial Number of
24 Limited English Speaking Persons shall take effect ~~until~~ after the conclusion of the process
25 described in this subsection(e).

1 (f) Maintain a complaint form on OCEIA's website in all certified languages spoken by a
2 Substantial Number of Limited English Speaking Persons; and

3 (g) Investigate potential violations of this Chapter;

4 ~~(he) Investigate Reviewing complaints of alleged Departmental violations of this~~
5 ~~Chapter, with quarterly reports to the Commission working with Departments to resolve such~~
6 ~~complaints, and notifying complainants of the resolution;~~

7 ~~—— (i) Maintain copies of complaints and their resolution for 5 years;~~

8 ~~—— (j) Prepare a quarterly report regarding complaints for submission to the Commission;~~

9 and

10 ~~—— (k) Prepare an Annual Summary Compliance Plan Report that summarizes the~~
11 ~~complaints and resolutions for submission to the Commission.~~

12 *///*

13 *///*

14 **SEC. 91.1517. RULES AND REGULATIONS.**

15 In order to effectuate the terms of this Chapter, the Commission may adopt rules and
16 regulations consistent with this Chapter.

17
18 **SEC. 91.1618. ENFORCEMENT.**

19 OCEIA shall be responsible for enforcement of this Chapter. OCEIA may investigate potential
20 violations of this Chapter. OCEIA may attempt to resolve noncompliance with this Chapter by any
21 Department through informal processes, including mediation and conference and conciliation. If after
22 an investigation and attempt to resolve an incidence of Department non-compliance, OCEIA
23 the Commission is unable to resolve the matter, it shall transmit a written finding of non-
24 compliance, specifying the nature of the non-compliance and the recommended corrective

1 *measures*, to the Department, the Department of Human Resources, *the Commission*, the
2 Mayor, and the Board of Supervisors.

3
4 **~~SEC. 91.1719. SEVERABILITY.~~**

5 ~~—— If any of the provisions of this Chapter 91 or the application thereof to any person or~~
6 ~~circumstance is held invalid, the remainder of this Chapter, including the application of such~~
7 ~~part or provisions to persons or circumstances other than those to which it is held invalid, shall~~
8 ~~not be affected thereby and shall continue in full force and effect. To this end, the provisions~~
9 ~~of this Chapter are severable.~~

10
11 **~~SEC. 91.182019. DISCLAIMERS.~~**

12 (a) By providing the public with equal access to language services, the City and
13 County of San Francisco is assuming an undertaking only to promote the general welfare. It is
14 not assuming, nor is it imposing on its officers and employees, an obligation for breach of
15 which it is liable in money damages to any person who claims that such breach proximately
16 caused injury.

17 (b) The obligations set forth in the Language Access Ordinance are directory and the
18 failure of the City to comply shall not provide a basis to invalidate any City action.

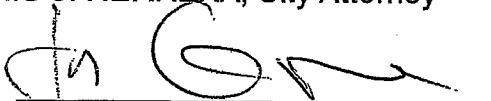
19 (c) The Language Access Ordinance shall be interpreted and applied so as to be
20 consistent with Title VI and VII of the Civil Rights Act of 1964, California's Fair Employment
21 and Housing Act, and Article X of the San Francisco Charter and so as not to impede or
22 impair the City's obligations to comply with any court order or consent decree.

23
24 Section 2. Effective Date. This ordinance shall become effective 30 days after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By: 
13 ALICIA CABRERA
14 Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(2/24/2015, Amended in Board)

[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, revise complaint 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 would 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. Former Tier 2 departments would be required to comply with new translation requirements by July 2016.

This legislation would 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 who speak another language other than English.

This legislation would require OCEIA to provide notice to City departments and the public before certifying a new language.

FILE NO. 141149

This legislation would require City departments to make good faith efforts to translate publicly posted signage providing information about the department's services and programs. Departments could prioritize translation of written materials by giving the highest priority to materials that affect public safety and critical services.

This legislation would revise the complaint process to set forth a timeline for resolving complaints.

This legislation would revise the Annual Compliance Plan to clarify the information that would be useful in evaluating Language Access Services. Former Tier 1 departments would file Annual Compliance Plans beginning in October 2015, and former Tier 2 departments would file Annual Compliance Plan beginning in October 2016.

This legislation sets forth the responsibilities of City departments, OCEIA, and the Immigrant Rights Commission in complying with this Ordinance.

Background Information

This legislative digest reflects amendments adopted by the Rules Committee on February 12, 2015.

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**CITY AND COUNTY OF SAN FRANCISCO
BOARD OF SUPERVISORS
BUDGET AND LEGISLATIVE ANALYST**

1390 Market Street, Suite 1150, San Francisco, CA 94102
(415) 552-9292 FAX (415) 252-0461

Policy Analysis Report

To: Supervisor Tang

From: Budget and Legislative Analyst's Office



Re: Analysis of Language Access Services in San Francisco (Round II)

Date: February 9, 2015

Summary of Requested Action

Your office requested that the Budget and Legislative Analyst conduct continued analysis of language access services in San Francisco, including (1) gathering the same data of Tier 2 departments as requested of Tier 1 departments under the City's Language Access Ordinance; (2) analyzing the City's workforce and resource expenditures for language access services; and (3) identifying possible operational efficiencies in the City's provision of language access services, and evaluating an expanded role for the Office of Civic Engagement and Immigrant Affairs.

Executive Summary

The Budget and Legislative Analyst conducted two rounds of surveys with City Tier 1 and Tier 2 departments in order to analyze the City's language access expenditures and identify possible efficiencies in the provision of language access services. There were some limitations with this data and analysis, including (1) all expenditure and service data was self-reported by departments, and therefore should be not be regarded as exhaustive or conclusive; (2) there are no standardized budgeting or performance tracking standards for language access expenditures in the City; and (3) the employee information received from the Department of Human Resources (DHR) does not identify whether bilingual positions are vacant or filled.

Nonetheless, the information gathered through these surveys enabled some general conclusions.

The City's language access expenditures are concentrated in a few departments.

In FY 2013-14, departments reported \$7,605,000 in actual expenditures for language access, including bilingual premium pay, telephonic interpretation, document translation, on-site translation, and other services, as shown in the Table below. Of this amount, Tier 2 departments accounted for 2% of actual expenditures, or \$137,699.

Total Language Access Expenditures by Tier for FY 2012-13 and FY 2013-14

	<u>FY 2012-13</u>		<u>FY 2013-14</u>	
	Expenditures	% of Total	Expenditures	% of Total
Tier 1	\$6,744,530	98%	\$7,467,301	98%
Tier 2	\$131,754	2%	\$137,699	2%
Total	\$6,876,285	100%	\$7,605,000	100%

Source: Budget and Legislative Analyst's Survey of City Departments

The City's certified bilingual employees are concentrated in a few departments.

The City has two primary bilingual categorizations: employees who have been certified as **eligible** for bilingual pay, and **designated bilingual positions**, which are positions with specific language requirements that must be met by employees.

According to DHR 2,058 City employees have been certified as eligible to receive bilingual pay, or 7.2% of the City's workforce of 28,497, of which 842 are designated bilingual positions. Over 94% of bilingual pay expenditures were concentrated in six departments.

The majority of the City's certified bilingual employees are in direct service positions, and primarily provide oral interpretation services and secondarily translation services, including review of work performed by contractors.

The City's 2,058 eligible bilingual pay employees are distributed across 196 distinct classifications. The 16 most frequent eligible classifications account for 1,156 positions, or nearly 55% of all eligible bilingual pay positions. The eight most common designated classifications account for a total of 442 positions, or 52.5% of all designated bilingual positions.

The City's eligible bilingual employees and designated bilingual positions are concentrated in public health, social services, and law enforcement positions. The majority of these are direct service positions, where employees will most likely utilize their language skills over the course of performing their job duties.

There are limitations in using certified bilingual employees to meet Language Access Ordinance needs, and the City supplements the work of certified bilingual employees in several ways – including contracts with outside vendors.

Several departments reported that bilingual employees are not always utilized to the fullest extent, because bilingual speakers may be assigned to a location or shift that does not have frequent contact with Limited English Proficient speakers, or their primary job responsibilities can render them too busy to assist members of the public.

The City often draws upon the skills of non-certified employees

Departments reported that City staff sometimes informally provide interpretation and translation services for clients over the course of performing their job duties, without having received bilingual certification. Departments explained that staff do not pursue certification for several reasons: increased demands on workload

after certification, a lengthy and cumbersome certification process, and insufficient compensation.

Different City departments are obtaining services from various third-party contractors for similar services

In FY 2013-14, City departments reported 33 different contracts for language services with total contract amounts of \$949,064. In FY 2014-15, City departments reported 20 different contracts for language services with contract amount of \$601,660.¹

Consolidating language services contracts into master contracts would standardize rates and improve quality.

Although many contracts provide similar services, departments utilize a number of different vendors to provide these services. There is opportunity for consolidation, both administratively and in terms of verified service providers.

Furthermore, the work performed by these vendors is not always up to the standards desirable for public documents and public agencies. Several departments also reported that obtaining services from third-parties can be expensive.

Language services contracts should be consolidated into a master contract administered by OCEIA

The City Administrator should work with the Mayor's Office of Public Policy and Finance to consolidate existing language services contracts into one or more master contracts administered by OCEIA. Consolidating these contracts would standardize rates and services, allow OCEIA to monitor the quality and accuracy of interpretation and translation services, and achieve cost savings through more efficient contracting processes.

A master contract would also create more equitable access for all departments to meet the requirements of the City's Language Access Ordinance, reducing use of informal interpretation such as use of non-certified staff and family members while ensuring that the Limited English Proficient public is receiving professional quality bilingual services. A master contract for document translation, similar to the Language Line contract for telephonic interpretation, would be cost-effective. OCEIA has been able to negotiate lower rates on Language Line as a master contract, and this cost saving would be possible for document translation services. Currently, the cost of administering the Language Line contract by an 1822 Administrative Analyst is estimated to be \$7,831.

¹ FY 2013-14 and FY 2014-15 figures exclude the Citywide master contract with Language Line for telephonic interpretation.

Departments have indicated a need for additional language access resources for interpretation and translation services.

Departments stated they could use additional assistance with Spanish and Chinese interpretation and translation activities. Several departments who do not have daily public contact or existing bilingual staff also expressed an interest in additional translation and interpretation assistance for occasional community events.

The City Administrator should work with the Department of Human Resources to evaluate if existing City classifications could provide interpretation and translation services or if new City classifications would need to be created. Any new positions created in the OCEIA budget to provide interpretation and translations services could be funded in whole or in part by savings in contractual services.

There may be an increased efficiency in allowing existing certified bilingual employees to focus on interpretation services while creating more centralized resources for translation and occasional interpretation assistance. OCEIA could expand its role in assisting City departments in interpretation and translation as a supplement to City departments' certified bilingual employees or contractor services.

For example, the annual salary, bilingual pay, and benefit costs for an 1820 Junior Administrative Assistant are \$100,049. Comparable services provided by a contractor are an estimated \$97,614. Benefits would include in-house availability, avoidance of 2-hour minimum charges, and OCEIA oversight of interpretation and translation quality.

Budget and Legislative Analyst Recommendations

The Budget and Legislative Analyst recommends the following:

- 1) The City Administrator should work with the Mayor's Office of Public Policy and Finance to consolidate existing language services contracts into one or more master contracts administered by OCEIA.
- 2) The City Administrator should work with the Department of Human Resources to evaluate if existing City classifications could provide interpretation and translation services or if new City classifications would need to be created. Any new positions created in the OCEIA budget to provide interpretation and translations services could be funded in whole or in part by savings in contractual services; and would be subject to Board of Supervisors' appropriation approval.
- 3) OCEIA and the Controller's Office should work with City departments to ensure that contracts for translation and interpreting services are coded correctly in the City's purchasing system so that expenditures against these contracts can be accurately tracked.
- 4) OCEIA should work with City departments to more aggressively promote the certification of bilingual employees.

Background

On June 24, 2014 the Budget and Legislative Analyst's Office submitted a report to the Board of Supervisors regarding language access services in San Francisco. The report included (1) a detailed review of the City's Language Access Ordinance; (2) a review and comparison of data submitted by Tier 1 departments for the Language Access Ordinance's Annual Compliance Summary Reports; (3) interviews with Office of Civic Engagement and Immigrant Affairs (OCEIA) and other City staff regarding the needs of and services provided to Limited English Proficient persons in San Francisco; and (4) an identification of service gaps.

The report made several recommendations to improve language access services in San Francisco and the City's Language Access Ordinance:

1. Full language access should be mandated across all City departments;
2. Greater clarity is needed on the languages to be covered by the Language Access Ordinance; and
3. The Language Access Ordinance's reporting requirements should be streamlined to prioritize key information and create consistent standards for comparison.

The report also recommended that the Board of Supervisors take action to ensure that all City websites provide a minimum level of language translation and that OCEIA enhance its website and provide key translated documents.

Methodology

In order to analyze the City's language access expenditures and identify possible efficiencies in the provision of language access services, the Budget and Legislative Analyst conducted two rounds of surveys with City Tier 1 and Tier 2 departments.

Round 1 Survey

The Round 1 Survey requested that department's provide information on the following:

- Actual expenditures for bilingual pay, interpretation services, and translation services in FY 2012-13 and FY 2013-14;
- The number of Full Time Equivalent (FTE) positions receiving bilingual pay in the department and their respective classifications² ;
- Language access services obtained via contracts with third-parties ; and
- Departments' utilization of OCEIA services in FY 2013-14.

During the Round 1 phase we also requested information from the Department of Human Resources (DHR) on the City's certified bilingual employees, including (1) a

² Some departments provided this information but the information was not complete; a City-wide list was provided by DHR.

list of all FTEs by department who have been certified as eligible to receive a bilingual pay premium; and (2) a list of all designated bilingual positions, which are FTE positions that have specific language requirements attached to them.

Out of 53 Tier 1 and Tier 2 departments identified for the survey, 45 departments or 85% of departments provided responses to the Round 1 survey. See Appendix A for list of Tier 1 respondents and Appendix B for Tier 2 respondents.

Round 2 Survey

The Round 2 survey took a closer look at departments' assessments of the language access services they provide as well as perceived needs and possible efficiencies, including (1) the departments' overall level of public contact; (2) the departments' level of contact with limited English speakers; (3) the primary services performed by bilingual staff; and (4) the need for additional services.

The Round 2 phase also included a deeper investigation of City contracts for language access services.

Out of the 53 Tier 1 and Tier 2 departments identified for the survey, 27 departments or 51% of departments provided responses to the Round 2 survey. See Appendix A for list of Tier 1 respondents and Appendix B for Tier 2 respondents.

Limitations

Although the information gathered for this report will allow some general conclusions and comparisons, there are several limitations in the data and analysis.

- All expenditure and service data was self-reported by departments, and therefore should not be regarded as exhaustive or conclusive. Additionally, although we received an excellent response to the first-round survey, we received many fewer responses to the second-round survey, particularly from Tier 2 departments.
- There are no standardized budgeting or performance tracking standards for language access expenditures in the City. There is therefore a large amount of variation and little consistency in how departments provide, identify, and pay for language access services, and in the level of detail they are able to provide about expenditures.
- The FTE information received from DHR does not identify whether bilingual positions were vacant or filled, nor can bilingual position information be linked to bilingual expenditure data.

Findings

The City's language access expenditures are concentrated in a few departments.

In FY 2013-14, departments reported \$7,605,000 in actual expenditures for language access, including bilingual premium pay, telephonic interpretation primarily through use of OCEIA's Language Line contract, document and on-site translation provided by outside contractors, and other services, as shown in Tables 1 and 2 below. Of this amount, Tier 2 departments accounted for 2% of actual expenditures, or \$137,699.

Table 1: Total Language Access Expenditures by Tier for FY 2012-13 and FY 2013-14

	FY 2012-13		FY 2013-14	
	Expenditures	% of Total	Expenditures	% of Total
Tier 1	\$6,744,530	98%	\$7,467,301	98%
Tier 2	\$131,754	2%	\$137,699	2%
Total	\$6,876,285	100%	\$7,605,000	100%

Source: Budget and Legislative Analyst's Survey of City Departments

Table 2: City Departments' FY 2013-14 Expenditures by Type

	Bilingual Pay	On-site and Telephonic Interpretation (Includes Language Line)	Document Translation and Other Miscellaneous	Total
Tier 1	\$2,222,824	\$2,789,382	\$2,455,095	\$7,467,301
Tier 2	\$39,019	\$97,075	\$1,605	\$137,699
Total	\$2,261,843	\$2,886,457	\$2,456,700	\$7,605,000

Source: Budget and Legislative Analyst's Survey of City Departments

Five departments accounted for 93.1% of total Tier 1 actual expenditures in FY 2013-14, or \$6,954,788 of \$7,467,301, including the Department of Public Health, the Human Services Agency, the Department of Elections, the Police Department, and the Rent Arbitration Board.

The remaining 20 Tier 1 departments accounted for spending totaling \$512,513 of \$7,467,301, or 6.9% of total Tier 1 expenditures.

Within Tier 2 departments, 80% of total language access expenditures, or \$110,159 of \$137,699, were within the City Administrator's Office³.

³ This figure excludes the Department of Public Works, Department of Technology, and overall OCEIA budget, but includes the following public-facing divisions: 311, Animal Care & Control, City Hall Management, Convention Facilities, County Clerk, Earthquake Safety and Implementation, Medical Examiner, Mayor's Office on Disability, and Treasure Island Authority. The data therefore encompasses one Tier 1 Department, and eight Tier 2 Department / Divisions.

The City's certified bilingual employees are concentrated in a few departments.

One of the mandates of the Language Access Ordinance is provision of information and services to the Limited English Proficient public through certified bilingual employees.⁴

The City has two primary bilingual categorizations: employees who have been certified as **eligible** for bilingual pay, and **designated bilingual positions**, which are positions with specific language requirements that must be met by employees. Departments are responsible for nominating eligible employees and designating bilingual positions; DHR manages testing and certification.

As shown in Table 3 below, according to DHR 2,058 City employees have been certified as eligible to receive bilingual pay, or 7.2% of the City's workforce of 28,497, of which 842 positions are designated bilingual positions.

As with overall language access expenditures, eligible employees and designated bilingual positions are concentrated in a few Tier 1 departments.

Table 3: Eligible Bilingual Employees and Designated Bilingual Positions by Tier

	Eligible Employees	% of Total	Designated Positions	% of Total
Tier 1	1,997	97%	819	97%
Tier 2	54	3%	22	3%
Other	7	0%	1	0%
Total	2,058	100%	842	100%

Source: Department of Human Resources

91.7% of the 2,058 eligible bilingual pay employees are concentrated in seven departments and 95% of all designated bilingual positions are concentrated in five departments. Over 88% of all designated bilingual positions are either some form of Chinese or Spanish. See Appendix C and Appendix D for additional detail.

As shown in Table 4 below, in FY 2013-14 Tier 1 and Tier 2 departments reported \$2,261,843 in expenditures for bilingual pay, or 30% of overall language access expenditures identified in Table 1. Over 94% of bilingual pay expenditures were concentrated in six departments.

⁴ Ordinance No. 202-09 Section 91.3(a) Line 21

Table 4: FY 2013-14 Expenditures for Bilingual Pay by Department

Department	Tier 1 or 2	Bilingual Pay	
		Actuals	% of Total
Public Health	Tier 1	\$1,063,857	47.0%
HSA	Tier 1	665,330	29.4%
Police	Tier 1	247,523	10.9%
Library	Tier 1	84,220	3.7%
Emergency Management	Tier 1	39,020	1.7%
City Administrator	Tier 2	33,403	1.5%
All others	-	128,490	5.7%
All Departments	-	\$2,261,843	100%

Source: Budget and Legislative Analyst's Survey of City Departments

Of the remaining departments, five departments reported bilingual pay expenditures between \$10,001 and \$22,000; 13 departments reported bilingual pay expenditures between \$1 and \$10,000; and 11 departments reported no expenditures for bilingual pay.

The exact amount of bilingual pay an eligible employee receives depends upon the number of hours within a pay period that the employee utilizes the certified language, as well as the specific provisions of their governing employee contract. According to DHR, there are currently 22 separate employee contracts that contain language concerning bilingual premium pay. For example, there are six contracts that pay \$60/biweekly for over 40 hours of language use, and \$40/biweekly for less than 40 hours, and five contracts that pay \$35/biweekly.

The majority of the City's certified bilingual employees are in direct service positions, and primarily provide oral interpretation services and secondarily translation services, including review of work performed by contractors.

The City's 2,058 eligible bilingual pay employees are distributed across 196 distinct classifications. Table 5 below details the 16 most frequent eligible classifications, accounting for 1,156 positions, or nearly 55% of all eligible bilingual pay positions.

Table 5: Eligible Bilingual Positions by Classification

Classification	No. of Eligible Positions	% of Total
Eligibility Worker	156	7.6%
Police Officer 3	121	5.9%
Senior Eligibility Worker	115	5.6%
Registered Nurse	92	4.5%
Medical Evaluations Assistant	86	4.2%
Health Worker 2	81	3.9%
Deputy Sheriff	80	3.9%
Health Worker 3	48	2.3%
Psychiatric Social Worker	48	2.3%
Senior Social Worker	47	2.3%
Protective Services Worker	44	2.1%
Senior Clerk	44	2.1%
Sergeant 3	43	2.1%
Hospital Eligibility Worker	42	2.0%
Medical Social Worker	38	1.8%
Police Officer 2	38	1.8%
All other FTE Classes (n=180)	935	45.4%
Total	2,058	100%

Source: Budget and Legislative Analyst, based on data provided by DHR

As shown in Table 6 below, the City's 842 designated bilingual positions are spread across 86 classifications. The eight most common designated classifications account for a total of 442 positions, or 52.5% of all designated bilingual positions.

Table 6: Designated Bilingual Positions by Classification

Classification	No. of Designated Positions	% of Total
Senior Eligibility Worker	100	11.9%
Eligibility Worker	93	11.0%
Health Worker 2	60	7.1%
Registered Nurse	42	5.0%
Senior Social Worker	40	4.8%
Protective Services Worker	38	4.5%
Psychiatric Social Worker	38	4.5%
Health Worker 3	31	3.7%
All other Classes (n=78)	400	47.5%
Total	842	100%

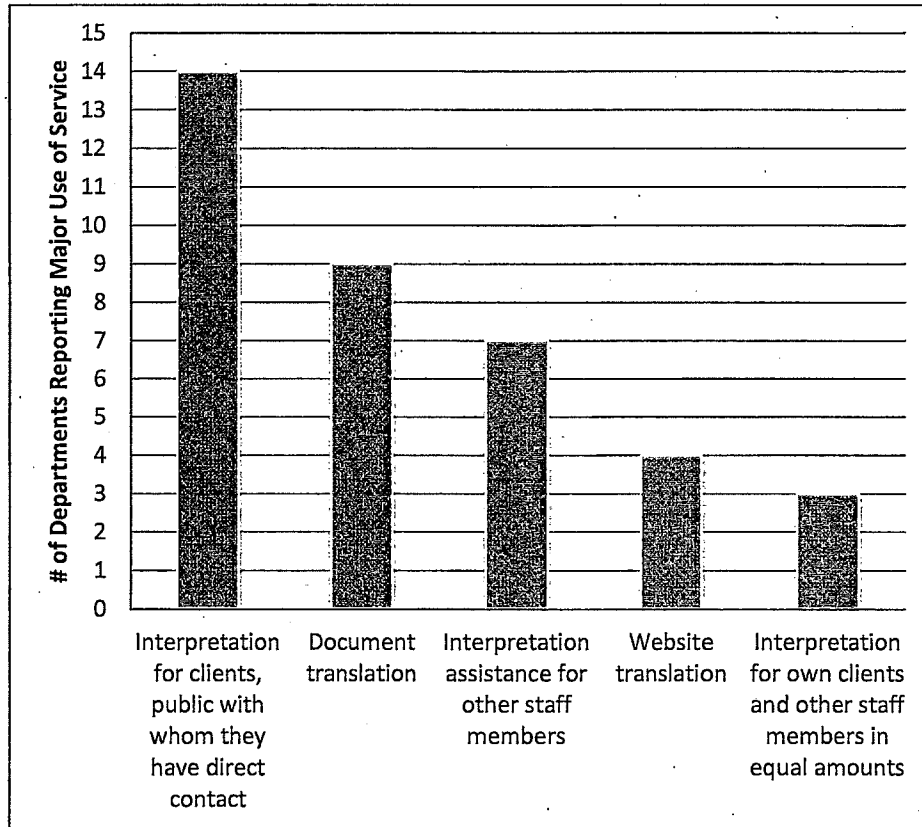
Source: Budget and Legislative Analyst, based on data provided by DHR

As shown in Tables 5 and 6 above, the City's eligible bilingual employees and designated bilingual positions are concentrated in public health, social services, and law enforcement positions. The majority of these are direct service positions, where employees will be expected to utilize their language skills over the course of performing their job duties with, or on behalf of, clients and City residents.

Follow-up surveys with departments confirmed the expected nature of language skill use by City employees. As can be seen below in Chart 1 below, interpretation

activities for the general public and for other staff members constitute the majority of use of certified bilingual employees. Departments also reported high use of City employees for document translation and website translation.

Chart 1: Services Provided by Certified Bilingual Employees



Source: Budget and Legislative Analyst Survey of City Departments

Departments also stated that certified bilingual employees are sometimes asked to review translations done by contractors to correct errors and ensure accuracy.

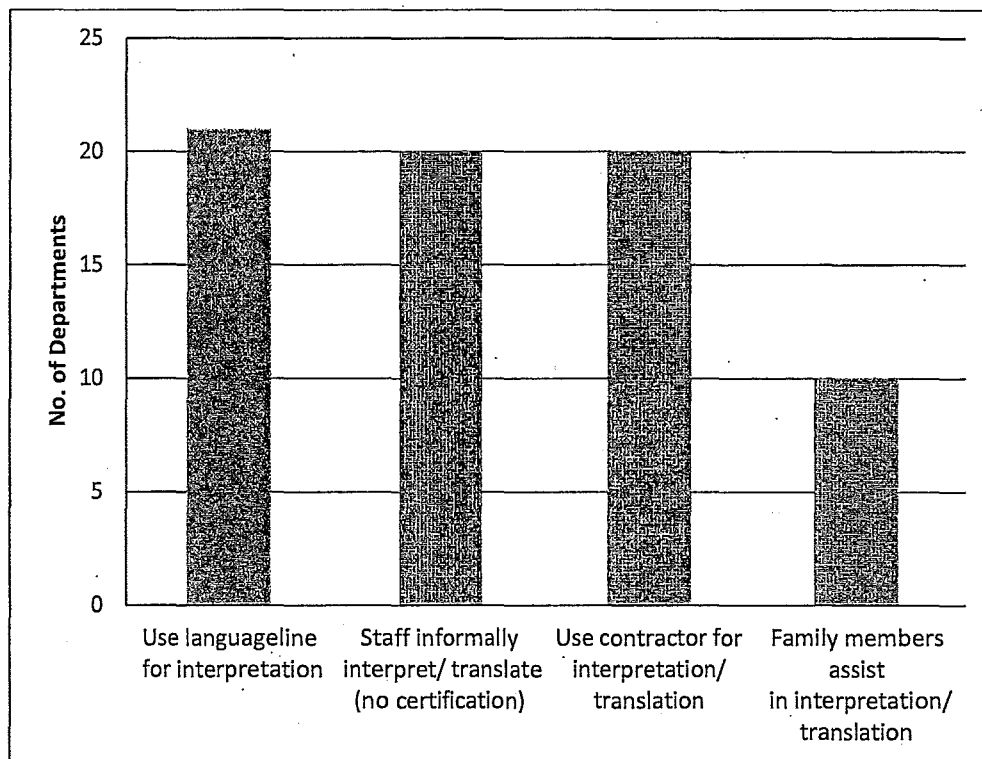
There are limitations in using certified bilingual employees to meet Language Access Ordinance needs, and the City supplements the work of certified bilingual employees in several ways – including contracts with outside vendors.

Several departments also reported that bilingual employees are not always utilized to the fullest extent, particularly because bilingual speakers may be assigned to a location or shift that does not have frequent contact with Limited English Proficient members of the public, or their primary job responsibilities can render them too busy to assist the department in meeting the needs of Limited English Proficient members of the public. See Appendix E for full Department responses regarding low utilization of certified bilingual employees' language skills.

Departments were also surveyed regarding the other ways the needs of the Limited English Proficient public are met, in addition to the use of certified

bilingual employees. As shown in Chart 2 below, 21 departments utilize Language Line, 20 departments reported drawing upon the language skills of existing uncertified staff, 20 use contractors for interpretation and translation services, and 10 reported requesting family members to assist in translation and interpretation. Departments reported a strong preference against this final option in interviews.

Chart 2: Other Ways that Departments Meet needs of the Limited English Proficient Public



Source: Budget and Legislative Analyst Survey of City Departments

The City often draws upon the skills of non-certified employees

As shown above in Chart 2, departments reported that City staff sometimes informally provide interpretation and translation services for clients over the course of performing their job duties, without having received bilingual certification. Departments explained that staff do not pursue certification for several reasons: increased demands on workload after certification, a lengthy and cumbersome certification process, and insufficient compensation.⁵

⁵ Premium pay, including bilingual pay, is negotiated as part of the total compensation package in the City's collective bargaining agreements with employee unions. The Department of Human Resources generally evaluates premium pay prior to negotiations by soliciting input from departments and conducting surveys to determine the comparability of pay to similar agencies.

Different City departments are obtaining services from various third-party contractors for similar services

In FY 2013-14, City departments reported 33 different contracts for language services with total contract amounts of \$949,064.⁶

Table 7: Language Access Contract Amounts by Service for FY 2013-14

Service	# of Contracts	Contract Amount
Document translation	26	\$527,238
Medical translation/transcription	4	\$371,826
Oral Interpretation	1	\$30,000
Cultural competency training	2	\$20,000
Total	33	\$949,064

Source: Budget and Legislative Analyst Survey of City Departments

The vendors for the 33 contracts are listed in Table 8 below.

Table 8: Language Access Contracts by Vendor for FY 2013-14

Vendor	# of Contracts	Contract Amount
Misc - Interpreters VMI	1	\$308,000
International Effectiveness	7	\$275,502
InterEthnica	1	\$174,146
The Staywell Co/Krames Communications	1	\$49,473
Bullseye Translation LLC	1	\$30,000
Trustforte Language Services	1	\$30,000
Avanpage Inc.	1	\$28,984
Chandasi Pandya Patel	1	\$10,000
Cross-Cultural Communications LLC	1	\$10,000
Pacific Medical Transcription	1	\$7,183
MoreDirect (Systems Consulting)	1	\$7,170
Intergraphics	7	\$5,009
Accent on Languages	2	\$4,616
Capellic Inc: Scripta International (Sub)	1	\$3,407
Auerbach International Inc.	1	\$2,738
Kramer Translation	1	\$1,250
Branded Translations	1	\$1,112
Prevent Child Abuse California	1	\$350
Rosa Pascual	2	\$125
Total	33	\$949,064

Source: Budget and Legislative Analyst Survey of City Departments

The contracts by department are listed in Table 9 below.

⁶ This excludes contracts made for American Sign Language, Braille, and other related services, and the OCEIA contract with Language Line. See Appendix G for full list.

Table 9: Language Access Contracts by Department for FY 2013-14

Department	# of Contracts	Contract Amount
DPH	6	\$438,633
HSA	3	\$240,000
Department of Elections	1	\$174,146
MTA	1	\$50,000
Immigrant and Language Services	2	\$20,000
Medical Examiner	1	\$7,183
OEWD	2	\$4,590
SF Environ	1	\$3,407
DBI	1	\$3,195
Treasurer/Tax Collector	4	\$2,857
Treasure Island	1	\$2,738
DCYF	8	\$1,198
MCO/HCA Living Wage/Living Health	1	\$658
Assessor Recorder	1	\$460
Total	33	\$949,064

Source: Budget and Legislative Analyst Survey of City Departments

Copies of 16 vendor contracts in FY 2013-14 were provided by four departments. Eight of these contracts covered Language Access Ordinance-mandated languages (Spanish, Chinese and Tagalog) as well as many others. One contract offered only Spanish, Chinese, and Tagalog. Two offered only Spanish and Chinese. Two offered only ASL⁷, and three did not identify any languages in the contract.

In FY 2013-14, City departments reported 20 different contracts for language services with total contract amounts of \$601,660.⁸

Table 10: Language Access Contracts by Service for FY 2014-15

Service	# of Contracts	Contract Amount
Document translation	13	\$452,703
Oral Interpretation	3	\$71,200
Medical translation/transcription	3	\$64,203
Cultural competency training	1	\$13,554
Total	20	\$601,660

Source: Budget and Legislative Analyst Survey of City Departments

The vendors for the 20 contracts are listed in Table 11 below.

⁷ ASL contracts are not included in Tables 6 through 11 because ASL is not covered by the Language Access Ordinance.

⁸ This excludes contracts made for American Sign Language, Braille, and other related services, and the OCEIA contract with Language Line. See Appendix G for full list.

Table 11: Language Access Contracts by Vendor for FY 2014-15

Vendor	# of Contracts	Contract Amount
International Effectiveness	4	\$241,157
InterEthnica	1	\$155,911.
The Staywell Co/Krames Communications	1	\$45,000
Disability Access Office	1	\$41,000
Bullseye Translation LLC	2	\$30,200
Trustforte Language Services	1	\$30,000
Cross-Cultural Communications LLC	1	\$13,554
Landesk touchpaper - VMI software	1	\$10,000
Accent on Languages	2	\$9,500
Pacific Medical Transcription	1	\$9,203
Auerbach International Inc.	2	\$6,431
Spanish Concepts	1	\$5,000
Capellic Inc: Scripta International (Sub)	1	\$3,407
Corey, Canapary, & Galanis	1	\$1,297
Total	20	\$601,660

Source: Budget and Legislative Analyst Survey of City Departments

The contracts by department are listed below.

Table 12: Language Access Contracts by Department for FY 2014-15

Department	# of Contracts	Contract Amount
HSA	3	\$240,000
Department of Elections	1	\$155,911
DPH	3	\$65,000
MTA	1	\$50,000
GSA	1	\$41,000
SFPUC	3	\$15,500
Immigrant and Language Services	2	\$13,754
Medical Examiner	1	\$9,203
SF Environ	1	\$3,407
DBI	1	\$3,000
Treasure Island	1	\$2,431
SFO	1	\$1,297
MCO/HCA Living Wage/Living Health	1	\$1,157
Total	20	\$601,660

Source: Budget and Legislative Analyst Survey of City Departments

Consolidating language services contracts into master contracts would standardize rates and improve quality.

Although many contracts provide similar services, departments utilize a number of different vendors to provide these services. There is opportunity for consolidation, both administratively and in terms of verified service providers.

Furthermore, the work performed by these vendors is not always up to the standards desirable for public documents and public agencies. As noted above,

departments reported that bilingual staff are often tasked with correcting errors in translations done by outside vendors. The Language Access Ordinance encourages department staff to review the work of contracts for accuracy, but departments should have confidence that contractors are producing quality translations.

Several departments also reported that obtaining services from third-parties can be expensive. For cost reasons and administrative ease departments have appealed to Proposition Q in contracting bilingual services rather than competitive solicitation.⁹

Contract rates for similar services vary by vendor and department. For example, HSA's rates for three different contracts range from \$45 per hour to \$55 per hour for Spanish, Cantonese and Mandarin interpretation, while the Department of the Environment's rate for one contract is \$140 per hour for verbal translation. Several contracts require a two-hour minimum even if the interpretation services are less than two hours.

A consolidation into a master contract administered by OCEIA would be similar to the arrangement the City currently has with the vendor Language Line for telephonic interpretation. The City had a master contract with Language Line Services in the amount not-to-exceed \$4,000,000 effective January 1, 2010 through June 30, 2014, to purchase continuous, unscheduled, 24-hour, 365 days per year telephonic language interpretation services to serve Limited English Proficient members of the public. During this time period 24 different departments reported use of the Language Line contract, including seven Tier 2 departments. This contract is administered by OCEIA and was recently renewed in the amount not-to-exceed \$5,000,000 effective July 1, 2014, through June 30, 2018.

Language services contracts should be consolidated into a master contract administered by OCEIA

The City Administrator should work with the Mayor's Office of Public Policy and Finance to consolidate existing language services contracts into one or more master contracts administered by OCEIA. Consolidating these contracts would standardize rates and services, allow OCEIA to monitor the quality and accuracy of interpretation and translation services, and achieve cost savings through more efficient contracting processes. OCEIA can work with departments to develop the criteria and scope of services for interpretation and translation services to administer the Request for Proposal (RFP) process. OCEIA would manage the selection process and administer the master contracts, decreasing administrative costs for departments while increasing control on quality of vendors with whom the City contracts. Furthermore, vendors charge a range of rates, and a master

⁹ Proposition Q allows departments to contract with vendors for amounts under \$10,000 without advertising or soliciting requests for qualifications or proposals (Administrative Code Section 21.5(a)).

contract would allow for cost savings in a standard rate charged across City departments.

A master contract would also create more equitable access for all departments to meet the requirements of the City's Language Access Ordinance, reducing use of informal interpretation such as use of non-certified staff and family members while ensuring that the Limited English Proficient public is receiving professional quality bilingual services.

A master contract for document translation, similar to the Language Line contract for telephonic interpretation, would be cost-effective. In FY 2013-14, 78% of the City's contracts for language services were for document translation. These contracts were with 12 different vendors for 7 departments. OCEIA has been able to negotiate lower rates on Language Line as a master contract, and this cost saving would also be possible for document translation services. Currently, the cost of administering the Language Line contract by an 1822 Administrative Analyst is estimated to be \$7,831. See Appendix I for calculations. Thus, the estimated cost to OCEIA to administer a master contract for language services is not high.

Departments would continue to have the option to enter into department-specific contracts in accordance with Administrative Code provisions.

Departments have indicated a need for additional language access resources for interpretation and translation services.

As shown in Table 13 below, of the 27 departments who responded to our Round 2 survey, 24 departments reported to have contact with the public every day.

Table 13: Level of Contact with Public

<u>Level of Contact</u>	<u>Count of Department</u>	<u>% of Total</u>
Every day	24	89%
Several Times a Month	1	4%
Occasional	1	4%
No services to public	1	4%
Total	27	100%

Source: Budget and Legislative Analyst Survey of City Departments

As shown in Table 14 below, of the 24 departments who reported to have to contact with the public on a daily basis, 18 departments or 75% reported to have daily contact with Limited English Proficient individuals. Four departments, or 17%, reported to have contact with Limited English Proficient individuals several times a month. Two departments, or 8%, reported to have contact with Limited English Proficient individuals occasionally.

Table 14: Level of Contact with Limited English Proficient Individuals

<u>Level of Contact</u>	<u>Count of Department</u>	<u>% of Total</u>
Every day	18	75%
Several Times a Month	4	17%
Occasional	2	8%
No services to public	0	0%
Total	24	100%

Source: Budget and Legislative Analyst Survey of City Departments

However, as has been noted above, resources to address language access needs are not evenly allocated throughout the City. Furthermore, while not common, some departments have reported having to turn members of the Limited English Proficient public away or are not adequately tracking the data to report the frequency of turning Limited English Proficient public away. See Appendix H.

As Spanish and Chinese are the two most frequently used Language Access Ordinance-mandated languages, departments were surveyed on their perceived need for additional support from OCEIA in meeting Limited English Proficient public needs in these two languages. Departments stated in particular that they could use additional assistance with Spanish and Chinese interpretation and translation activities, either to supplement existing staff or because department have no staff to perform these duties. In fact, no departments reported having sufficient staff available to perform the needed document translation activities. Several departments who do not have daily public contact or existing bilingual staff also expressed an interest in additional assistance for translation and interpretation services for occasional community events. See Appendix F for full department response to need for OCEIA services in Spanish and Chinese.

At present, existing OCEIA staff are not frequently utilized by City departments. In Round 1 of our survey, only 9 departments indicated that they had received assistance from OCEIA, primarily for document translation and or oral interpretation. According to the Director of OCEIA, OCEIA has the expertise but not the “bandwidth” to handle the range of services requested by departments. Currently, OCEIA has nine administrative positions, responsible for OCEIA’s grant, language services, immigrant affairs and civic engagement functions. OCEIA’s role in overseeing the Language Access Ordinance is primarily to ensure compliance with the ordinance, although OCEIA also provides some interpretation or translation services as needed.

As described above and in Appendix F, departments expressed highest interest in receiving OCEIA assistance in translation services. Furthermore, as shown in Chart 1 above, departments primarily use certified bilingual employees for interpretation services and secondarily for translation services. There may be an increased efficiency in allowing existing certified bilingual employees to focus on interpretation services while creating more centralized resources for translation, and additional complementary resources for occasional interpretation assistance.

OCEIA could expand its role in assisting City departments in interpretation and translation as a supplement to City departments’ certified bilingual employees or

contractor services. The City Administrator and OCEIA should evaluate creation of permanent civil service positions to provide interpretation and translation services. These positions could be funded, in whole or in part, through reductions in contractual services.

For example, the annual salary, bilingual pay, and benefit costs for an 1820 Junior Administrative Assistant are \$100,049. Comparable services provided by a contractor are an estimated \$97,614¹⁰. Benefits would include in-house availability, avoidance of 2-hour minimum charges required by contractors, and OCEIA oversight of interpretation/translation quality.

Conclusion

City departments meet the requirements of the Language Access Ordinance in two ways: use of in-house staff primarily for interpretation and some translation, and use of contracts largely to translate documents. The diversity of the City's workforce provides a large number of employees who are bilingual and can provide interpretation as needed. However, departments report that certified bilingual employees are not always available to provide services.

City departments also use contractors to provide language services. Contractor services can be expensive and of unreliable quality. Consolidating language services contracts into master contracts administered by OCEIA would standardize rates and improve quality.

There is also a need to create standardized tracking and reporting of expenditures across the City to better gauge needs and service levels. Neither bilingual pay nor contracts for translation and interpretation services are detailed in the City's budget. City departments track employees' hours to correctly pay the bilingual pay premium, but contract expenditures for translation and interpretation services are less closely tracked. OCEIA and the Controller's Office should work with City departments to ensure that contracts for translation and interpreting services are coded correctly in the City's purchasing system so that expenditures against these contracts can be accurately tracked.

Finally, departments should seek certification for more of its employees that are already doing bilingual work. Maintaining a list of interpreters in-house is prudent, especially staff who are familiar with the nature of the work, immediately available, and already doing work for which they can receive premium pay.

¹⁰ The Budget and Legislative Analyst estimates of comparable contractual services and costs are based on 1,775 hours of service (85% a full time position's 2,088 hours) times \$55 per hour of service.

Recommendations

- The City Administrator should work with the Mayor's Office of Public Policy and Finance to consolidate existing language services contracts into one or more master contracts administered by OCEIA.
- The City Administrator should work with the Department of Human Resources to evaluate if existing City classifications could provide interpretation and translation services or if new City classifications would need to be created. Any new positions created in the OCEIA budget to provide interpretation and translations services could be funded in whole or in part by savings in contractual services; and would be subject to Board of Supervisors' appropriation approval.
- OCEIA and the Controller's Office should work with City departments to ensure that contracts for translation and interpreting services are coded correctly in the City's purchasing system so that expenditures against these contracts can be accurately tracked.
- OCEIA should work with City departments to more aggressively promote the certification of bilingual employees.

Appendix A: Tier 1 Departments Surveyed

<u>Tier 1 Departments</u>		Responded to Round I Survey	Responded to Round II Survey
Adult Probation Department		✓	✓
Airport (San Francisco International)		✓	X
Assessor Recorder (Office of the)		✓	✓
Building Inspection (Dept. of)		✓	X
Building Management (City Hall)		✓	X
District Attorney's Office		✓	✓
Economic and Workforce Development (Mayor's Office of)		✓	✓
Elections		✓	✓
Emergency Management (Dept. of)		✓	✓
Environment (Dept. of)		✓	✓
Fire Department		✓	✓
Human Services Agency		✓	X*
Juvenile Probation Department		✓	✓
Municipal Transportation Agency		✓	✓
Planning Department		✓	✓
Police Department		✓	✓
Public Defender's Office		✓	✓
Public Health (Dept. of)		✓	X*
Public Library		✓	✓
Public Utilities Commission		X	✓
Public Works (Dept. of)		✓	✓
Recreation and Park Department		✓	X
Residential Rent Stabilization and Arbitration Board		✓	✓
Sheriff's Office		✓	X
Treasurer and Tax Collector (Office of the)		✓	✓
Zoo		✓	✓

**BLA did not follow up with these departments as the nature of their interaction with Limited English Proficient members of the public did not require clarification.*

Source: Budget and Legislative Analyst Survey of City Departments

Appendix B: Tier 2 Departments Surveyed

<u>Tier 2 Departments</u>		
Department	Responded to Round I Survey	Responded to Round II Survey
311 (Customer Service)	✓	✗
Animal Care and Control	✗	✗
Child Support Services	✗	✗*
Children, Youth and Their Families	✓	✓
Citizen Complaints (Office of)	✗	✗
City Administrator	✓	✓
City Attorney (Office of the)	✓	✓
Clerk of the Board of Supervisors	✓	✓
Controller's Office	✓	✗*
County Clerk	✓	✗
General Services Agency	✓	✓
Human Resources (Dept. of)	✓	✗*
Human Rights Commission	✓	✗
Mayor's Office	✓	✗
Mayor's Office of Criminal Justice	✗	✗
Mayor's Office of Disability	✓	✗
Mayor's Office of Housing and Community Development	✓	✗
Mayor's Office of Neighborhood Services	✓	✓
Medical Examiner	✓	✗
Office of Contract Administration	✗	✗
Office of Labor Standards Enforcement (GSA)	✓	✗
Office of Public Finance	✗	✗
Port Of San Francisco	✓	✓
Purchasing	✗	✗
Small Business (Office of)	✓	✗
Status of Women, Department on	✓	✓
Technology (Dept. of)	✓	✗*

**BLA did not follow up with these departments as the nature of their interaction with Limited English Proficient members of the public did not require clarification.*

Source: Budget and Legislative Analyst Survey of City Departments

Appendix C: Bilingual Positions by Language

Table 1: Designated Bilingual Positions by Language

<u>Language</u>	<u>Designated Bilingual Positions</u>	<u>% of Total</u>
Korean	1	0.1%
Laotian	1	0.1%
Chinese (other)	2	0.2%
Japanese	3	0.4%
American Sign Language	4	0.5%
Khmer (Cambodian)	5	0.6%
Tagalog (Philippines)	14	1.7%
Russian	33	3.9%
Vietnamese	38	4.5%
Chinese (Mandarin)	75	8.9%
Chinese (Cantonese)	327	38.8%
Spanish	339	40.3%
Total	842	100%

Source: Budget and Legislative Analyst, based on data provided by DHR

Appendix D: Designated Bilingual Positions and Eligible Bilingual Employees by Department

Table 1: Designated Bilingual Positions by Department

<u>Department</u>	<u>Tier 1 or 2</u>	<u>Designated Bilingual Positions</u>	<u>% of Total</u>
Public Health	Tier 1	379	45.0%
HSA	Tier 1	337	40.0%
Library	Tier 1	58	6.9%
Child Support			
Services	Tier 2	16	1.9%
MTA	Tier 1	10	1.2%
All others	-	24	5.0%
All Departments	-	842	100%

Source: Budget and Legislative Analyst, based on data provided by DHR

Table 2: Eligible Bilingual Employees by Department

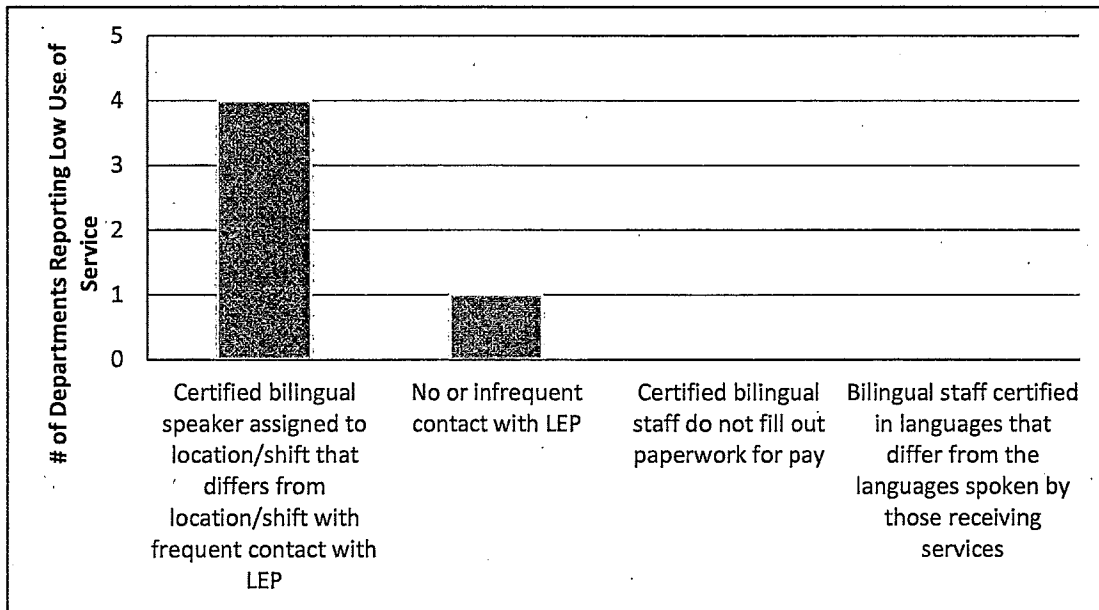
<u>Department</u>	<u>Tier 1 or 2</u>	<u>Eligible Bilingual FTE</u>	<u>% of Total</u>
Public Health	Tier 1	872	42.4%
HSA	Tier 1	461	22.4%
Police	Tier 1	304	14.8%
Sherriff	Tier 1	126	6.1%
Library	Tier 1	63	3.1%
City Administrator	Tier 2	33	1.6%
Economic			
Development	Tier 1	28	1.4%
All others	-	171	8.3%
All Departments	-	2058	100%

Source: Budget and Legislative Analyst, based on data provided by DHR

Appendix E: Low Use of Certified Bilingual Employees

Five departments provided responses to a Round 2 survey question regarding low use of Certified Bilingual Employees.

Reason for low use of Certified Bilingual Employees

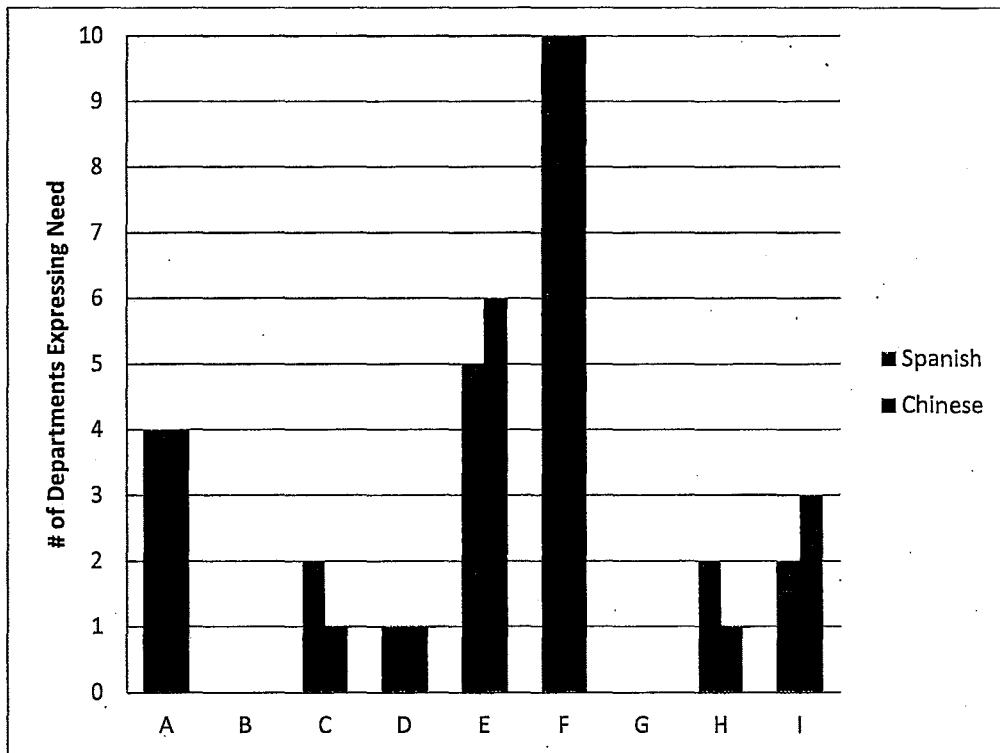


Source: Budget and Legislative Analyst Survey of City Departments

Appendix F: Department Need for OCEIA Services in Spanish and Chinese

Departments were surveyed for self-assessment of staffing and need for OCEIA's services, and the survey options and department responses are shown in the Table below.

Need for OCEIA services in Spanish and Chinese



Source: Budget and Legislative Analyst Survey of City Departments

- A Interpretation, Sufficient department staff
- B Translation, Sufficient department staff
- C Interpretation & Translation, Sufficient department staff
- D Interpretation, Could use OCEIA help in addition to department staff
- E Translation, Could use OCEIA help in addition to department staff
- F Interpretation & Translation, Could use OCEIA help in addition to department staff
- G Interpretation, Could use OCEIA help, have no department staff
- H Translation, Could use OCEIA help in addition to department staff, have no department staff
- I Interpretation & Translation, Could use OCEIA help in addition to department staff, have no department staff

Ten departments reported to need OCEIA help with both interpretation and translation services in addition to their own staff. While some variation exists between the demand for the other survey options for services in Chinese and Spanish, departments expressed second highest need for translation services.

Appendix G: Contracts including American Sign Language, Braille, and other related services

Language Access Contracts by Service, including American Sign Language, for FY 2013-14

<u>Service</u>	<u># of Contracts</u>	<u>Amount of Contracts</u>
Document translation	26	\$527,238
Medical translation/transcription	4	\$371,826
American Sign Language, Braille, related	16	\$177,934
Oral Interpretation	1	\$30,000
Cultural competency training	2	\$20,000
Grand Total	49	\$1,126,998

Language Access Contracts by Service, including American Sign Language, for FY 2014-15

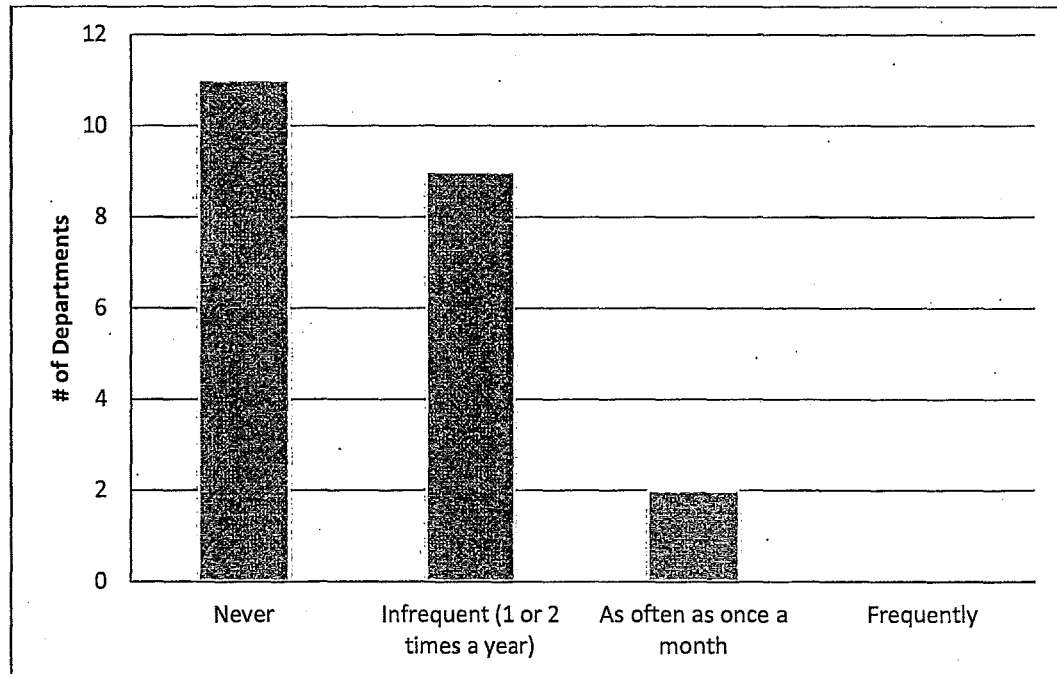
<u>Service</u>	<u># of Contracts</u>	<u>Amount of Contracts</u>
Document translation	13	\$452,703
Oral Interpretation	3	\$71,200
American Sign Language, Braille, related	13	\$69,434
Medical translation/transcription	3	\$64,203
Cultural competency training	1	\$13,554
Grand Total	33	\$671,094

Source: Budget and Legislative Analyst Survey of City Departments

Appendix H: Frequency of turning away Limited English Proficient members of the public

Departments were also surveyed on the frequency at which Limited English Proficient members of the public were not able to receive services in their languages, and the responses are shown in the Table below.

How often are Limited English Speaking public not able to receive services in their language



Source: Budget and Legislative Analyst Survey of City Departments

Interviews with departments revealed that departments are not adequately tracking these instances, and some reported that Language Line has not been able to cover a rare language or dialect.

Appendix I: Cost to administer the Language Line contract

	<u>Hours per year (estimated)</u>
RFQ process	50
Monthly Monitoring (5-10 per month)	90
TOTAL hours per year	140
TOTAL labor hours per year	2000
Portion of time spent on Language Line Contract	7%
	<u>Cost per year</u>
Estimated Pay for Class 1822 (FY 2014-15)	\$78,854
Estimated Benefits for Class 1822 (FY 2014-15)	\$33,018
Estimated Total for Class 1822 (FY 2014-15)	\$111,872
	<u>Cost per year</u>
Estimated Total for Class 1822 (FY 2014-15)	\$111,872
Portion of time spent on Language Line Contract	7%
Cost of Language Line Administration	\$7,831

Source: OCEIA staff and Adopted Budget and Appropriation Ordinance Fiscal Years 2014-2015

Youth Commission
City Hall ~ Room 345
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4532



(415) 554-6446
(415) 554-6140 FAX
www.sfgov.org/youth_commission

YOUTH COMMISSION
MEMORANDUM

TO: Alisa Somera, Clerk, Rules Committee
FROM: Youth Commission
DATE: Wednesday, February 4, 2015
RE: Referral response to BOS File No. 141149-2

At our regular meeting of **Monday, February 2, 2015** the Youth Commission voted unanimously to support the following motion:

To support BOS File No. 141149-2, 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.

The Youth Commission's support for the legislation is based on its respect for the City's commitment to providing excellent and equal services to all residents.

During discussion on this item, youth commissioners proposed and approved the following comments and recommendations regarding this legislation:

The Youth Commission recommends that the Board request that the annual report concerning translation requests prepared by the Office of Civic Engagement and Immigrant Affairs include information on requests made by youth-serving providers or for youth receiving services.

If you have any questions about these recommendations, please don't hesitate to contact our office at (415) 554-6446, or your Youth Commissioner.

A handwritten signature in cursive script that reads "Michel Li".

Chair, Michel Li
Adopted on February 2, 2015
2014-2015 San Francisco Youth Commission

Youth Commission
City Hall ~ Room 345
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4532



1415-RBM-09

(415) 554-6446
(415) 554-6140 FAX
www.sfgov.org/youth_commission

YOUTH COMMISSION
MEMORANDUM

TO: Alisa Somera, Clerk, Rules Committee
FROM: Youth Commission
DATE: Tuesday January 6, 2015
RE: Referral response to BOS File No. 141149

At our regular meeting of **Monday, January 5, 2015** the Youth Commission voted unanimously to support the following motion:

To support BOS File No. 141149, 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.

The Youth Commission's support for the legislation is based on its respect for the City's commitment to providing excellent and equal services to all residents.

During discussion on this item, youth commissioners proposed and approved the following comments and recommendations regarding this legislation:

The Youth Commission recommends that the Board request that the annual report concerning translation requests prepared by the Office of Civic Engagement and Immigrant Affairs include information on requests made by youth-serving providers or for youth receiving services.

If you have any questions about these recommendations, please don't hesitate to contact our office at (415) 554-6446, or your Youth Commissioner.

A handwritten signature in cursive script that reads "Michel Li".

Chair, Michel Li
Adopted on January 5, 2015
2014-2015 San Francisco Youth Commission

File No. 141149
2/12/2015 Presented
in Committee

ANALYSIS OF LANGUAGE ACCESS SERVICES IN SAN FRANCISCO

Policy Analysis Report to Supervisor Tang

Presentation to:
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

February 12, 2015

Budget and Legislative Analyst

Background / Methodology

- Two Rounds of Surveys with City Tier 1 and Tier 2 Departments
- Limitations
 - No standard budgeting or performance tracking standards for language access expenditures
 - Expenditure and service data was self-reported by departments
 - FTE info does not state whether positions are vacant / filled, or be linked to expenditure data

Overall Language Access Expenditures

- Expenditures are heavily concentrated in a few departments

Total Language Access Expenditures by Tier for FY 2013-14

FY 2013-14		
	Expenditures	% of Total
Tier 1	\$7,467,301	98%
Tier 2	\$137,699	2%
Total	\$7,605,000	100%

Source: Budget and Legislative Analyst's Survey of City Departments

Certified Bilingual Employees

- City has two bilingual categories
- Bilingual FTEs are heavily concentrated in a few departments

Eligible Bilingual Employees and Designated Bilingual Positions by Tier

	Eligible Employees	% of Total	Designated Positions	% of Total
Tier 1	1,997	97%	819	97%
Tier 2	54	3%	22	3%
Other	7	0%	1	0%
Total	2,058	100%	842	100%

Source: Department of Human Resources

Certified Bilingual Employees

- Expenditures for bilingual pay are heavily concentrated in a few departments

FY 2013-14 Expenditures for Bilingual Pay by Department

Department	Tier 1 or 2	Bilingual Pay Actuals	% of Total
Public Health	Tier 1	\$1,063,857	47.0%
HSA	Tier 1	665,330	29.4%
Police	Tier 1	247,523	10.9%
Library	Tier 1	84,220	3.7%
Emergency Management	Tier 1	39,020	1.7%
City Administrator	Tier 2	33,403	1.5%
All others	-	128,490	5.7%
All Departments	-	\$2,261,843	100%

Source: Budget and Legislative Analyst's Survey of City Departments

Certified Bilingual Employees

- Certified bilingual employees are generally in direct service positions

Eligible Bilingual Positions by Classification

Classification	No. of Eligible Positions	% of Total
Eligibility Worker	156	7.6%
Police Officer III	121	5.9%
Senior Eligibility Worker	115	5.6%
Registered Nurse	92	4.5%
Medical Evaluations Assistant	86	4.2%
Health Worker II	81	3.9%
Deputy Sheriff	80	3.9%
Health Worker III	48	2.3%
Psychiatric Social Worker	48	2.3%
Senior Social Worker	47	2.3%
Protective Services Worker	44	2.1%
Senior Clerk	44	2.1%
Sergeant III	43	2.1%
Hospital Eligibility Worker	42	2.0%
Medical Social Worker	38	1.8%
Police Officer II	38	1.8%
All other FTE Classes (n=180)	935	45.4%
Total	2,058	100%

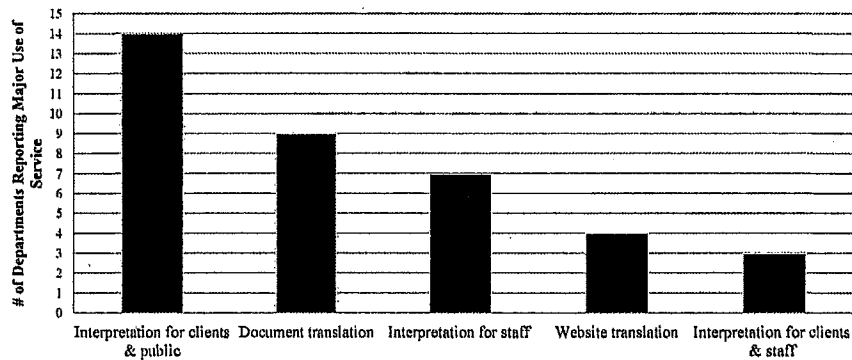
Designated Bilingual Positions by Classification

Classification	No. of Designated Positions	% of Total
Senior Eligibility Worker	100	11.9%
Eligibility Worker	93	11.0%
Health Worker II	60	7.1%
Registered Nurse	42	5.0%
Senior Social Worker	40	4.8%
Protective Services Worker	38	4.5%
Psychiatric Social Worker	38	4.5%
Health Worker III	31	3.7%
All other FTE Classes (n=78)	400	47.5%
Total	842	100%

Source: Budget and Legislative Analyst's Survey of City Departments

Certified Bilingual Employees

- Certified bilingual employees provide (1) interpretation, and (2) translation services



Source: Budget and Legislative Analyst's Survey of City Departments

San Francisco Board of Supervisors
Office of the Budget and Legislative Analyst

7

Certified Bilingual Employees

- Limits of using certified bilingual employees to meet LAO requirements:

- Staffing & assignment issues
- Contact with Limited English speakers may be variable and hard to predict
- Employees have other responsibilities

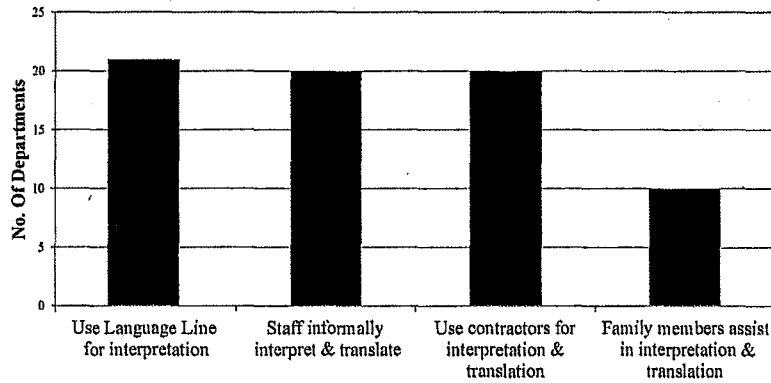


San Francisco Board of Supervisors
Office of the Budget and Legislative Analyst

8

Alternatives to Certified Bilingual Employees

- The City meets the needs of the Limited English public in several other ways



Source: Budget and Legislative Analyst's Survey of City Departments

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Office of the Budget and Legislative Analyst

9

Alternatives to use of CBEs: Contracts

- Different City departments are obtaining services from various third-party contractors for similar services.

San Francisco Board of Supervisors
Office of the Budget and Legislative Analyst

10

Language Access Contracts by Service

Service	# of Contracts	Amount on Contracts	% of Total Amount
Document translation	26	\$527,238	56%
Medical translation/transcription	4	\$371,826	39%
Oral Interpretation	1	\$30,000	3%
Cultural competency training	2	\$20,000	2%
Total	33	\$949,064	100%

San Francisco Board of Supervisors
Office of the Budget and Legislative Analyst

11

Language Access Contracts by Department

Department	# of Contracts	Amount on Contracts	% of Total Amount
1. Department of Public Health	6	\$438,633	46%
2. Human Services Agency	3	\$240,000	25%
3. Department of Elections	1	\$174,146	18%
4. Municipal Transportation Agency	1	\$50,000	5%
5. Immigrant and Language Services	2	\$20,000	2%
6. Medical Examiner	1	\$7,183	1%
7. Office of Economic and Workforce Development	2	\$4,590	0%
8. SF Environment	1	\$3,407	0%
9. Department of Building Inspection	1	\$3,195	0%
10. Treasurer/Tax Collector	4	\$2,857	0%
11. Treasure Island	1	\$2,738	0%
12. Department of Children, Youth, and Families	8	\$1,198	0%
13. MCO/HCA Living Wage/Living Health	1	\$658	0%
14. Assessor Recorder	1	\$460	0%
Total	33	\$949,064	100%

San Francisco Board of Supervisors
Office of the Budget and Legislative Analyst

12

Language Access Contracts

- Departments reported
 - Variable quality by vendors
 - High and variable rates by vendors

- Not all departments have access to language services.

Language Access Contracts

- Based on our survey results, language services should be consolidated into a master contract.
 - OCEIA can better monitor quality and accuracy of interpretation and translation services.
 - More equitable access for all departments to meet the requirements of the City's Language Access Ordinance.

Language Access Contracts

- In our second round survey, 21 out of 26 (81%) of departments surveyed stated that they could use OCEIA help with either translation or interpretation services for Spanish, Chinese, or both.
- Any new positions created in the OCEIA budget to provide interpretation and translations services could be funded in whole or in part by savings in contractual services.

Comparison of Position and Contractual Costs

1820 Jr. Administrative Assistant Cost		v.	Contract Cost	
Est. Pay & Benefits	\$98,489		Est. Contractual Service Hours	1,775 hours
Est. Bilingual Pay	\$1,560		Avg. Contract Cost/Hr	\$55 per hour
Total Est. 1820 Cost	\$100,049		Total Est. Contractual Service Costs	\$97,625

Report Recommendations

- The City Administrator and Mayor's Office of Public Policy and Finance should consolidate existing language services contracts into one or more master contracts administered by OCEIA.
- The City Administrator and Department of Human Resources should evaluate if existing City classifications can provide interpretation and translation services, or if new classifications are needed. Any new positions created in the OCEIA budget for these services could be funded in whole or in part by savings in contractual services, subject to Board of Supervisors' appropriation approval.
- OCEIA and the Controller's Office should work with City departments to ensure contracts for translation and interpretation services are coded correctly in the City's purchasing system.
- OCEIA should work with City departments to more aggressively promote the certification of bilingual employees.

Questions and comments

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Youth Commission
FROM: Alisa Somera, Clerk, Rules Committee
Board of Supervisors
DATE: January 13, 2015
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Rules Committee

The Board of Supervisors' Rules Committee has received the following **substitute** legislation, which is being referred to the Youth Commission, per Charter Section 4.124, for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 141149-2

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, revise complaint procedures, and enhance the annual departmental compliance plan requirement.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM YOUTH COMMISSION Date: _____

- No Comment
- Recommendation Attached

Chairperson, Youth Commission

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Naomi Kelly, City Administrator
Carmen Chu, Assessor/Recorder
Adrienne Pon, Director, Office of Civic Engagement & Immigrant Affairs
Micki Callahan, Director, Department of Human Resources
Ross Mirkarimi, Sheriff
George Gascon, District Attorney
Jeff Adachi, Public Defender
Jose Cisneros, Treasurer/Tax Collector
Ben Rosenfield, City Controller
Richard Carranza, Superintendent, SF Unified School District

FROM: Alisa Somera, Clerk, Rules Committee
Board of Supervisors

DATE: January 13, 2015

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following **substitute** legislation, introduced by Supervisor Tang on January 7, 2015. This matter is being referred to you for informational purposes since it affects your department.

File No. 141149-2

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, revise complaint procedures, and enhance the annual departmental compliance plan requirement.

If you wish to submit any reports or documentation to be considered with the legislation, please send those to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Edward McCaffrey, Office of the Assessor/Recorder
Katherine Gorwood, Sheriff's Department
Sharon Woo, Office of the District Attorney
Greg Kato, Office of the Treasurer/Tax Collector
Chris Armentrout, SF Unified School District
Jamila Brooks, SF Unified School District

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Youth Commission
FROM: Alisa Somera, Clerk, Rules Committee
Board of Supervisors
DATE: December 30, 2014
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Rules Committee

The Board of Supervisors' Rules Committee has received the following proposed legislation, which is being referred to the Youth Commission, per Charter Section 4.124, for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 141149

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.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ No Comment

_____ Recommendation Attached

Chairperson, Youth Commission

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Naomi Kelly, City Administrator
Carmen Chu, Assessor/Recorder
Adrienne Pon, Director, Office of Civic Engagement & Immigrant Affairs
Micki Callahan, Director, Department of Human Resources
Ross Mirkarimi, Sheriff
George Gascon, District Attorney
Jeff Adachi, Public Defender
Jose Cisneros, Treasurer/Tax Collector
Ben Rosenfield, City Controller
Richard Carranza, Superintendent, SF Unified School District

FROM: Alisa Somera, Clerk, Rules Committee
Board of Supervisors

DATE: November 10, 2014

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Tang on November 4, 2014. This matter is being referred to you for informational purposes since it affects your department.

File No. 141149

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.

If you wish to submit any reports or documentation to be considered with the legislation, please send those to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Edward McCaffrey, Office of the Assessor/Recorder
Katherine Gorwood, Sheriff's Department
Sharon Woo, Office of the District Attorney
Greg Kato, Office of the Treasurer/Tax Collector
Chris Armentrout, SF Unified School District
Jamila Brooks, SF Unified School District

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [141149]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

Tang, Yee

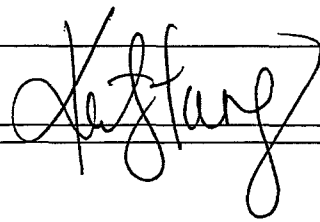
Subject:

Administrative Code - Language Access Requirements for Departments

The text is listed below or attached:

[]

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only:

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Supervisor Katy Tang, David Chiu

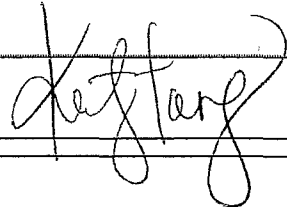
Subject:

Administrative Code - Language Access Requirements for Departments

The text is listed below or attached:

[]

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only:

