

# SPEAKING FROM **EXPERIENCE**

How the Language Access Ordinance Can Better Respond  
to the Needs of Limited-English Proficient Speakers  
Accessing Public Services in San Francisco

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**LANSF**

LANGUAGE ACCESS NETWORK  
OF SAN FRANCISCO

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GLOSSARY

For the purpose of this report, the following terms are defined by the Language Access Network of San Francisco as:

**CBO:** Community based organization

**City:** City or County of San Francisco

**Cultural competency:** Ability to interact meaningfully and effectively with groups of people from various ethnic, gender, language, racial, religious, sexual orientation, or socioeconomic backgrounds

**Department:** Agency, board, commission, department, office, etc. of the City and County of San Francisco

**FGD:** Focus Group Discussion

**Filipino language:** Filipino is the official language of the Philippines. Often used interchangeably with Tagalog

**Fiscal Year/FY:** Per Sec. 91.11 of the Language Access Ordinance, the fiscal year runs July 1-June 30<sup>1</sup>

**HCD:** Human-Centered Design - Public policy designed to ensure community stakeholders are involved in feedback loop

**Interpretation:** Real-time verbal explanation of cultural meaning from one language to another

**Language:** Recognized system of communication used by a particular country or community

**Language Access:** Government’s commitment to providing access to public services, regardless of the language spoken by an individual

**Language Assistance:** Translation and interpretation services provided to communicate effectively in order to provide equal access opportunities for public services

**Language Justice:** Governance that equally promotes and defends individuals’ rights to participate in society regardless of language ability

**Language Rights:** Responsibility of governing bodies to administer the rights of linguistic minorities through the provision of equal access to public services and the promotion of respect for individuals’ linguistic expression and cultural identity

**LANSF:** Language Access Network of San Francisco

**LAO/the Ordinance:** Language Access Ordinance of San Francisco, formerly known as the Equal Access to Services Ordinance

**LEP:** Limited-English proficient

**Narrator:** Research participant who provides a storied example

**OCEIA:** Office of Civic Engagement and Immigrant Affairs of San Francisco

**San Francisco:** City and County of San Francisco

**Spot-Check:** Community audits of departmental implementation of the Language Access Ordinance

**Substantial Number:** Per Sec. 91.2 of the Language Access Ordinance, a “Substantial Number” is “10,000 limited-English speaking City residents who speak a shared language other than English.”<sup>2</sup>

**Tagalog:** Tagalog is the predominant language of the capital city of the Philippines. Often used interchangeably with Filipino language

**Threshold language:** Language spoken by a substantial number of LEP people

**Translation:** Textual explanation of cultural meaning from one language to another

**X:** Location or name removed for the protection of privacy for the Narrator

ABOUT THE LANGUAGE ACCESS NETWORK OF SAN FRANCISCO

This report was prepared by the Language Access Network of San Francisco (LANSF). The information and data used in this report was collected via the Office of Civic Engagement and Immigrant Affairs’ (OCEIA) Language Access Ordinance (LAO) Compliance Summary Reports, Spot-Checks, and qualitative community narratives conducted by LANSF.



LANSF is a grantee of the OCEIA Community Grants Program, a department of the City and County of San Francisco (herein “the City”). It is a unique multilingual, multiethnic, and multiracial collaborative that consists of seven immigrant-serving community based organizations (CBOs). LANSF was founded in 2012 to provide community education to limited-English proficient (LEP) communities regarding their language rights. The Network builds community power through advocacy with City officials to remove the linguistic barriers faced by LEP communities when accessing public services and programs, thus improving implementation of the LAO. LANSF is comprised of the following organizations:



According to the 2015-2019 American Community Survey, immigrants make up 34.3% of San Francisco’s population.<sup>3</sup> OCEIA’s Executive Director Adrienne Pon said it best when she stated, “we are fortunate to be the City and County of San Francisco, a safe and welcoming place where every resident can contribute and thrive. We know that our diversity is our strength, and our welcoming policies the key to our prosperity.”<sup>4</sup> The City prides itself on its staunch defense of immigrant rights and promotion of immigrant integration through its policies and programs, such as the LAO. Written into the LAO, OCEIA is responsible for the facilitation and oversight of the City’s language services and enforcement of the Ordinance, including the collection of the City’s language access data disseminated through annual compliance reports. As such, LANSF and OCEIA work collaboratively to ensure a lasting commitment to better serve the needs of the City’s LEP population.

<sup>1</sup> S.F., Cal., Admin Code §§ 91.11

<sup>3</sup> United States Census Bureau, “2015-2019 ACS 5-Year Narrative Profile San Francisco County, California,” American Community Survey: Narrative Profiles, accessed Feb 27, 2021, <https://www.census.gov/acs/www/data/data-tables-and-tools/narrative-profiles/2019/report.php?geotype=county&state=06&county=075> .

<sup>4</sup> San Francisco Office of Civic Engagement and Immigrant Affairs, “2020 Language Access in San Francisco: Language Access Ordinance Summary Report,” (Jan, 2020): 2, <https://joom.ag/7wxw>.

# ACKNOWLEDGMENTS

The San Francisco Language Access Network would like to acknowledge the migrant community members we have the honor of serving at each of our organizations. As we strive to improve the lives of immigrants and people of color in San Francisco, they are at the heart of our work. Their lives, their voices, their strength, and their wisdom are changing the world we live in. We especially thank those who shared their experiences with the hope of creating change and ensuring everyone in San Francisco can access equitable services without barriers.

We appreciate the leadership and staff of the San Francisco Office of Civic Engagement and Immigrant Affairs for their ongoing commitment to the inclusion of immigrants in San Francisco. OCEIA has a clear dedication to improving the City's provision of language access services. We look forward to continuing to work together.

We also thank Rita Ewing for her incredible work on this report, as well as the staff from LANSF organizations who have established relationships with and took the time to ensure that community members' lived experiences with language access are represented with dignity.

The COVID-19 crisis has demonstrated how crucial immediate and accurate access to information and services is to the health and well-being of San Francisco's limited-English proficient residents. We thank the City's health care professionals and first responders, including the Department of Emergency Management, for their service and attention to diverse community needs. LANSF continues to be committed to fostering collaborative relationships with City departments to improve language access in San Francisco.

In this year of reckoning with historical and current racial injustices, Black, Indigenous, and people of color have been hit disproportionately hard by health and economic inequities. These marginalized communities have wisdom that is grounded in lived experience — we need to make sure there is space for people to raise their voices to share their needs and concerns. Together, we can push ahead towards tangible change, racial justice, and full inclusion of all communities in San Francisco.

# Executive Summary

In 2019, the Language Access Network of San Francisco hosted a series of Focus Group Discussions to collect insight from limited-English proficient speakers detailing their experiences accessing public services in San Francisco. One speaker started a group discussion by recalling an experience they had in 2012:

*I had to go to the X police station and I had to make a report on an aggression to my older son who was in middle school. I needed to make the report, but there was no one to assist me in Spanish. Unfortunately, they did not help me and told me to come back another day and they did not have anyone to interpret for me. They asked my son if he would interpret for me. It did not seem like a good idea to me. My son at that time was in 6th grade, 12 years old, and he was not in a good emotional state. It did not seem correct to me to have him do the interpretation for me. I had to return with another person who would help me do the interpretation to be able to file the police report because there was no one to attend to me in Spanish. This was a very bad experience and the way that I felt, I think, there are hundreds of women, mothers of families in this same situation.*

Even as they recalled the incident years later, it was clear that this experience still held a lasting impression on the speaker. Their language access rights were violated and their ability to pursue civil justice was impeded. As more speakers continued to speak about their experiences, it became apparent that instances like what the first speaker described are unfortunately not uncommon for non-English speakers in San Francisco.

Language access is a basic human right, and the failure to defend this right is a failure to promote a fair and inclusive society. This report highlights how the availability of linguistically accessible services can mean the difference between life and death for LEP speakers. No matter the circumstance, all San Franciscans, regardless of their English language proficiency, have the right to access City services.

LANSF is a unique multilingual, multiethnic, and multiracial collaborative that consists of seven immigrant-serving community based organizations. LANSF was founded in 2012 to conduct community education to LEP communities on their language rights as defined by the Language Access Ordinance. The LAO mandates that all public-serving departments in the City and County of San Francisco provide language services to LEP speakers when a substantial number of limited-English speaking City residents speak a shared language other than English.<sup>5</sup> Currently, the languages that meet that threshold are Chinese, Filipino, and Spanish.<sup>6</sup>

LANSF values the tremendous progress San Francisco has been able to make towards meeting the needs of its diverse LEP communities through the Office of Civic Engagement and Immigrant Affairs' engagement work with CBOs and City departments, and its enforcement of the LAO. While San Francisco continues to improve its language access service delivery thanks to the work of OCEIA,<sup>7</sup> the intent of this research report

is to highlight how the LAO itself may be refined to better meet the needs of the City's LEP population.

The purpose of this baseline study is to understand the varied experiences of the LEP communities of San Francisco regarding the quality of customer service they received, as well as their user experiences in accessing and interacting with language access services provided by City departments as mandated by the LAO. This study makes use of three primary data collection methods:

1. Review of annual LAO Summary Reports;
2. Review of Spot-Checks; and
3. Review of Qualitative Community Narratives to evaluate how the LAO is responding to the needs of LEP speakers.

This report finds that although the City has made consistent progress in its enforcement of the LAO, the LAO requires improvement in order to properly address and respond to the language access needs of its target audience.



## KEY FINDINGS

The LAO is designed to monitor departmental compliance to its requirements and does not include provisions to evaluate the quality of language access services received by its target population of LEP speakers. Consequently, the LAO is failing to ensure the provision of accessible, equitable, and quality language services to LEP speakers due to the following reasons:

### 1. Policy Design Not Aligned with the Target Population

The LAO is designed to monitor departmental compliance and cannot evaluate the quality of services provided or efficacy of the LAO from the target population's perspective;

### 2. Insufficient Monitoring and Evaluation Mechanisms

The annual LAO Summary Compliance Reports are informed by departmental self-assessments utilizing their own data collection methodology. Determining compliance based on departmental self-assessments is an insufficient and inequitable method to evaluate the efficacy and impact of the LAO on the LEP community;

### 3. Insufficient Enforcement

The LAO is an unfunded mandate, which makes it difficult to hold departments accountable for its implementation. Moreover, the complaint process when the LAO is violated lacks transparency and accountability, and it fails to address larger systemic issues within the departments and their ability to abide by the LAO;

### 4. Insufficient Incorporation of Community Stakeholders

CBOs are already well positioned in the community and providing language access rights services to LEP speakers. Despite this, CBOs are not included in the annual review of departmental language access plans and are overall underutilized as potential third-party consultants; and

### 5. Insufficient Provision for Non-Threshold Languages

The LAO still does not provide for the language access needs of the City's most linguistically marginalized community members and is thus non-representative of the linguistic diversity found in San Francisco.

<sup>5</sup> S.F., Cal., Admin Code §§ 91.4a.

<sup>6</sup> Ibid, 91.17.

<sup>7</sup> San Francisco Office of Civic Engagement and Immigrant Affairs, "2021 Language Access in San Francisco: SF Language Access Ordinance Summary Report" (Jan, 2021): 11, <https://joom.ag/Yfpl>.



## RECOMMENDATIONS

This study finds that in order to ensure the provision of accessible, equitable, and quality language services for LEP speakers, the LAO must:

### Strengthen Enforcement Mechanisms

For the LAO to fully capture and protect the linguistic diversity in San Francisco, the LAO should be amended as follows:

#### 1. Including Regular and Independent Audits

The City of San Francisco should consider conducting an independent audit to regularly evaluate the quality of LAO services delivered by City departments and the efficacy of the provisions of the LAO to deliver quality language access services to LEP speakers.

#### 2. Establishing Uniform Administrative Standards

Audits should be used to develop compliance standards and set departmental language access budgetary earmarks.

#### 3. Initiating Legislative Reform and Oversight

Departmental compliance to the LAO must be prioritized through enforcement mechanisms and commitment to continuous accountability and improvement.

### Incorporate a Human-Centered Design Approach

The LAO should recognize, support and welcome the necessary insight from community stakeholders like LANSF and other CBOs active in the City that work with LEP communities and advocate for their language access needs. By incorporating a Human-Centered Design (HCD) approach, the LAO could leverage community stakeholders in the design process to meet the needs of the LEP community. This would include:

#### 1. Prioritizing and Incorporating Community Stakeholdership

To meet the needs of the LAO's intended LEP audience, community stakeholders should be included in the annual review of departments' plans in order to incorporate their feedback to develop a more apt HCD. Adopting a HCD approach ensures that governments are better equipped to respond to the needs of the people who access their services. As noted by Sinai et al, by responding to community stakeholder input and continuously refining customer and user experiences, a HCD approach can connect City departments to their LEP audience and ensure information about their services is more accessible, usable, and useful<sup>8</sup>

#### 2. Including Provisions for Non-Threshold Languages

By utilizing the potential of CBOs, a HCD approach may help to address the varied language needs within supervisorial districts to ensure equitable access to public services regardless of language spoken. The LAO must be centered around the evolving needs of LEP speakers. By redesigning the LAO to incorporate a HCD approach and implementing stronger monitoring and evaluation measures, the metrics of compliance will evolve to be more reflective of the language access service delivery needs of the community.

<sup>8</sup> Nick Sinai, David Leftwich, Ben McGuire, "Human-Centered Policymaking: What Government Policymaking Can Learn from Human-centered Design and Agile Software Development," Belfer Center Paper, (Apr, 2020): 14, <https://www.belfercenter.org/sites/default/files/2020-04/HumanPolicyMaking.pdf>.



# Language Access in San Francisco

## LANGUAGE RIGHTS AND IMPLEMENTATION

Language rights are key to building an inclusive community. They allow people to express their identities, connect with their culture, access information and services, and participate fully and meaningfully in society. According to the UN Special Rapporteur on minority issues, “Language rights are to be found in various provisions enshrined in international human rights law, such as the prohibition of discrimination, the right to freedom of expression, the right to a private life, the right to education and the right of linguistic minorities to use their own language with others in their group.”<sup>9</sup> As such, it is the responsibility of governing bodies to ensure the rights of linguistic minorities through the provision of equal access to public services and the promotion of respect for individuals’ linguistic expression and their cultural identity.

The implementation of language rights varies greatly across international, national, state, and local contexts. In recent years, San Francisco has positioned itself at the forefront of language justice, administering the nation’s first comprehensive language access law, the Language Access Ordinance.<sup>10</sup> With over a third of the City’s population being foreign born and nearly a fifth identifying as limited-English proficient<sup>11</sup>, San Francisco understands the importance of

implementing legislation to observe language rights as human rights. As maintained by UNESCO, “Language is the key to inclusion. Language is at the centre of human activity, self-expression and identity. Recognizing the primary importance that people place on their own language fosters the kind of true participation in development that archives lasting results.”<sup>12</sup> By recognizing that language justice may only be achieved through following a human rights-based approach, the LAO must continuously work towards addressing and dismantling the systemic barriers preventing linguistic minorities from participating fully in society.

Language policies such as the LAO help promote linguistic minorities’ incorporation into civil society. To foster an equitable and inclusive society, policymakers must follow a human rights framework to ensure language rights are recognized. As the UN Special Rapporteur explains, integrating language rights into legislation focuses support on the individual through defense of dignity, liberty, equality, non-discrimination, and identity. As a result societies will decrease linguistic minorities’ sense of marginalization and increase their ability to effectively engage with their community and access public services.<sup>13</sup>

With this in mind, the United Nations Special Rapporteur on minority issues highlights the following six factors which should be used to evaluate the results of language policies:

1. Improvement of access to and quality of education for minority children;
2. Promotion of equality and the empowerment of minority women;
3. Better use of resources;
4. Improvement of communication and public services;

5. Contribution to stability and conflict prevention; and
6. Promotion of diversity.”<sup>14</sup>

The LAO must reinforce that communication goes both ways. The LAO must not focus solely on departmental compliance but must be able to also engage with its target population to ensure they are included and receiving quality language access services. By recognizing the importance of engaging and including LEP speakers in the feedback process and in the design of the LAO, the City would be better able to respond to the language access needs of LEP speakers.

## CASE STUDY:

### San Francisco’s Social Vulnerability Amidst the COVID-19 Pandemic

Now a year into the pandemic, this report would be remiss to fail to recognize the impact COVID-19 has had on San Francisco’s LEP residents. It is safe to say that no better example exists to demonstrate the importance of language access than this unprecedented global health crisis.

LEP communities are disproportionately affected and placed at adverse risk due to language access and systemic barriers. According to a report by Senator Debbie Stabenow and Senator Chuck Schumer, minority communities of color have been disproportionately affected by the pandemic due to lack of access to quality health care, and economic disadvantage exposing community members through frontline work and cohabitation.<sup>15</sup> A recent article from Johns Hopkins supports this finding, noting that transmission of the virus is often “fueled by poverty

and economic necessity.”<sup>16</sup> In order to mitigate these pre-identified barriers, crisis communication must be adjusted to meet the diverse multilingual needs of marginalized populations.

The Center for Disease Control regularly evaluates counties’ Social Vulnerability Index (SVI), which it defines as a “community’s capacity to prepare for and respond to the stress of hazardous events ranging from natural disasters [...] or disease outbreaks,” and takes into account “economic data as well as data

<sup>9</sup> United Nations Human Rights Office of the High Commissioner, “Language Rights of Linguistic Minorities: A Practical Guide for Implementation,” United Nations Special Rapporteur on minority issues, (Mar, 2017): 5, [https://www.ohchr.org/Documents/Issues/Minorities/SR/LanguageRightsLinguisticMinorities\\_EN.pdf](https://www.ohchr.org/Documents/Issues/Minorities/SR/LanguageRightsLinguisticMinorities_EN.pdf).

<sup>10</sup> American University Washington College of Law Immigrant Justice Clinic, D.C. Language Access Coalition, “Access Denied: The Unfulfilled Promise of the DC Language Access Act,” (Apr, 2012): 5, [https://issuu.com/mlowdc/docs/91243\\_au\\_dclacpt\\_final/7](https://issuu.com/mlowdc/docs/91243_au_dclacpt_final/7).

<sup>11</sup> United States Census Bureau, “American Community Survey.”

<sup>12</sup> United Nations Educational, Scientific and Cultural Organization, “Why Language Matters for the Millennium Development Goals.” UNESCO Bangkok, (2012): 1, <https://unesdoc.unesco.org/ark:/48223/pf0000215296>.

<sup>13</sup> UN OHCHR, “Language Rights of Linguistic Minorities,” 6.

<sup>14</sup> UN OHCHR, “Language Rights of Linguistic Minorities,” 7-10.

<sup>15</sup> Senator Debbie Stabenow, Senator Chuck Schumer, “Racial Disparities on Full Display: COVID-19 is Disproportionately Affecting Communities of Color,” DPCC Report (2020): 2-4, <https://www.stabenow.senate.gov/imo/media/doc/DPCC%20Report%20on%20Racial%20Disparities.pdf>.

<sup>16</sup> Kathleen R. Page M.D., and Alejandra Flores-Miller, “Lessons We’ve Learned - Covid-19 and the Undocumented Latinx Community.” The New England Journal of Medicine 384, no. 1 (Jan, 2021): 5, <https://www.nejm.org/doi/full/10.1056/NEJMp2024897>.

regarding education, family characteristics, housing, language ability, ethnicity, and vehicle access.”<sup>17</sup> The most recent 2018 SVI demonstrates that San Francisco’s districts with the highest LEP populations have greater levels of social vulnerability. In line with this assessment, the City’s cumulative cases map<sup>18</sup> shows that these communities have subsequently and disproportionately tested positive for COVID-19, evidencing the life-or-death consequences of language justice.

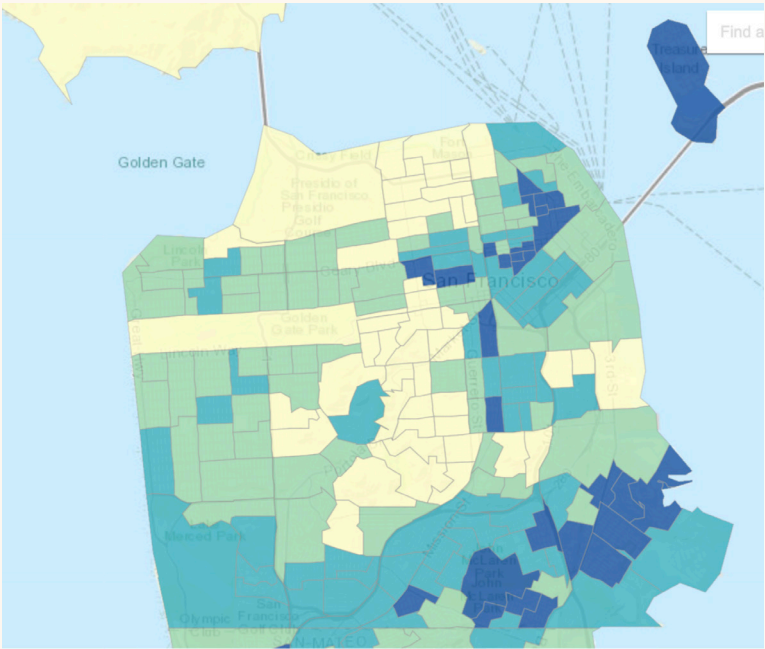
As noted by a recent article by Piller et al, “During a disaster, the availability of timely, high-quality information becomes even more vital. [...] A mismatch between the language in which such information is communicated and the linguistic repertoires of those who need the information serves to exacerbate the effects of disasters on linguistic minorities.”<sup>19</sup> While multilingual pandemic communication was developed and promptly made available since the onset of the

pandemic, the quality of communication must be evaluated holistically. According to Piller et al, “the quality of crisis communication [should] be evaluated along the following four dimensions...availability, accessibility, acceptability, and adaptability.”<sup>20</sup> The continued presence of language access barriers may prevent community members from receiving critical public health information and health care and may place LEP speakers at avoidable risk.

The LAO needs to do more to address systemic inequalities to promote San Francisco as a holistically equitable, inclusive, and healthy society. Ensuring communication related to the pandemic—in any language necessary—is therefore of paramount importance. The LAO must be amended to include a comprehensive emergency communication plan and better utilize the SVI to target those communities known to be at adverse risk.

CDC Social Vulnerability Index for San Francisco Census Tracts

Figure 1.

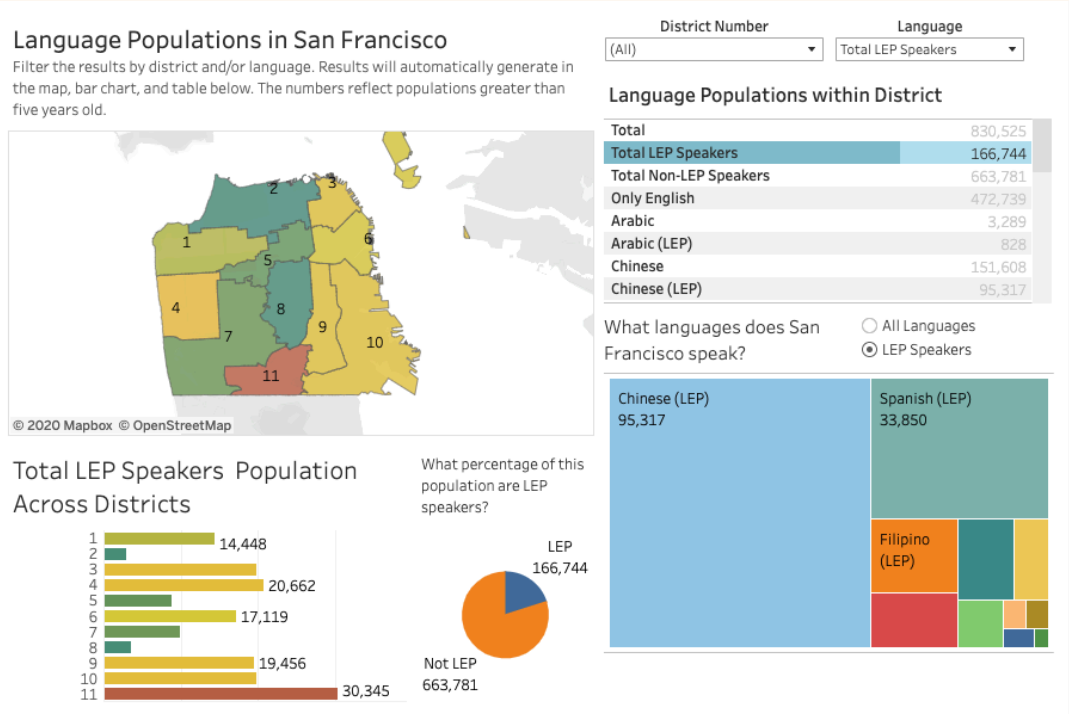


<https://svi.cdc.gov/map.html>

<sup>17</sup> “CDC Social Vulnerability Index 2018: San Francisco County, California,” Agency for Toxic Substances and Disease Registry, Geospatial Research, Analysis & Services Program, last modified Mar 16, 2020, [https://svi.cdc.gov/Documents/CountyMaps/2018/California/California2018\\_San%20Francisco.pdf](https://svi.cdc.gov/Documents/CountyMaps/2018/California/California2018_San%20Francisco.pdf).

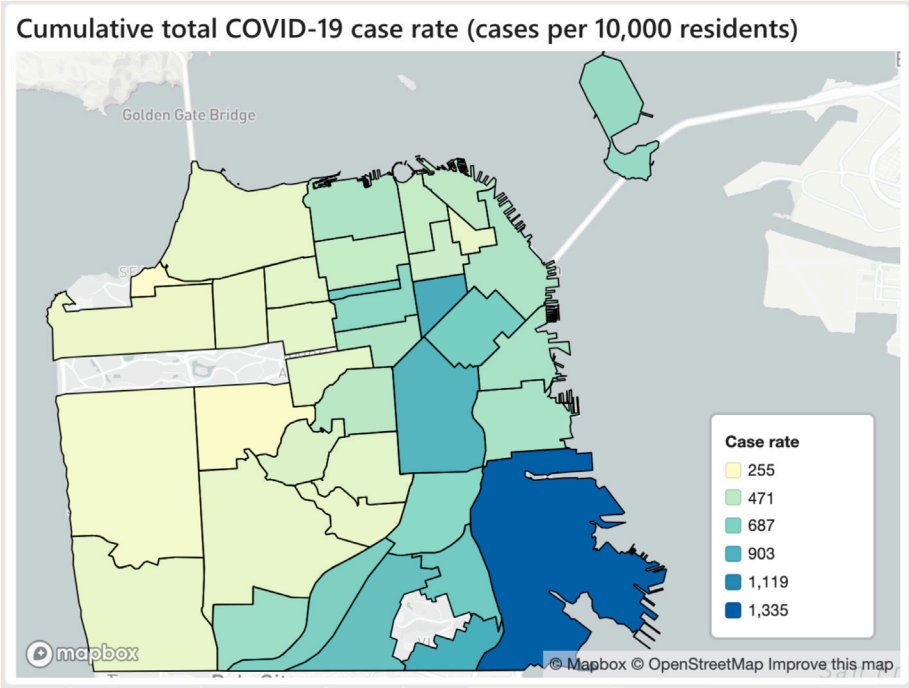
<sup>18</sup> “Cumulative Cases Map,” Maps of COVID-19 Cases, DataSF, accessed May 15, 2021, <https://data.sfgov.org/stories/s/Map-of-Cumulative-Cases/adm5-wq8i#cumulative-cases-map>.

Figure 2.



<https://sfgov.org/oceia/language-diversity-data>

Figure 3.



<https://sf.gov/data/covid-19-case-maps>

<sup>19</sup> Ingrid Piller, Jie Zhang, and Jia Li, “Linguistic Diversity in a Time of Crisis: Language Challenges of the COVID-19 Pandemic,” *Multilingua* 39, no 5 (Sep, 2021): 505, <http://www.degruyter.com/doi/10.1515/multi-2020-0136>.

<sup>20</sup> Ibid, 509.



# HISTORY OF SAN FRANCISCO’S LANGUAGE ACCESS ORDINANCE

Over the course of the last half-century, San Francisco has made tremendous strides in addressing its obligation to implement and comply with international human rights law in regard to language. Its history highlights the City’s commitment to support the use of minority languages and continuously adapt to the needs of its residents. Below is a brief timeline of monumental national, state, and local legislation enacted to defend language rights in San Francisco:

## 1964

The Civil Rights Act outlaws discrimination based on race, color, religion, sex, or national origin.<sup>21</sup>

## 1973

The Dymally-Alatorre Bilingual Services Act “requires California state agencies that serve a substantial number of non-English speaking people to employ a sufficient amount of bilingual persons in order to provide certain information and render certain services in a language other than English.”<sup>22</sup>

## 1974

Lau v. Nichols: The United States Supreme Court rules the San Francisco Unified School District in violation of Title VI of the Civil Rights Act by discriminating against LEP students through its failure to provide equal educational opportunities to all students.<sup>23</sup> This is a landmark case for bilingual education.

<sup>21</sup> Civil Rights Act of 1964, 42 U.S.C. § 2000D Et. seq.

<sup>22</sup> AB-305 Dymally-Alatorre Bilingual Services Act, Cal., Admin Code §§ 7290 Et. seq.

<sup>23</sup> Lau V. Nichols, 414 U.S. 563 (1974).

## 2000

Executive Order 13166: “Requires federal agencies to examine the services they provide, identify any needs for services to those who are LEP, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.”<sup>24</sup>

## 2001

Equal Access to Services Ordinance (EASO): “Enacted by the San Francisco Board of Supervisors, which required major Departments to provide language translation services to LEP individuals who comprise 5% of the total City population.”<sup>25</sup>

## 2009

Language Access Ordinance: San Francisco Board of Supervisors enacts a number of significant changes to the EASO and renames it the Language Access Ordinance.<sup>26</sup> This includes provisions for Chinese and Spanish languages.

## 2014

Filipino becomes a threshold language after the number of Filipino speakers reaches 10,000 in the City.<sup>27</sup>

## 2015

Amendment to the LAO to expand the scope 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.<sup>28</sup>

<sup>24</sup> Exec. Order No. 13166, 65 Fed. Reg. 50121, 50121-22 (2000).

<sup>25</sup> S.F., Cal., Admin Code §§ 91.1b5.

<sup>26</sup> Ibid, 91.1b6.

# PROVISIONS AND RESPONSIBILITIES OF THE LANGUAGE ACCESS ORDINANCE

The current LAO was amended and codified into law on March 3, 2015.<sup>29</sup> To respect the City and County of San Francisco’s obligation to the general welfare of its residents, the LAO was enacted in compliance with “Title VI and VII of the Civil Rights Act of 1964, California’s Fair Employment and Housing Act, and Article X of the San Francisco Charter.”<sup>30</sup> To expand the scope of the Ordinance, the 2015 amendment changed the law from a two-tier structure of departmental implementation to apply to all City departments that administer public facing services or information.<sup>31</sup> The LAO now mandates that when a substantial number of limited-English speaking persons (10,000 City residents) speak a shared language other than English, Office of Civic Engagement and Immigrant Affairs shall certify it as a language covered by the LAO.<sup>32</sup> Currently, Chinese, Filipino, and Spanish are the only languages in San Francisco that meet this requirement (henceforth referred to as threshold languages).

## City Departments

The LAO requires that City departments be responsible for drafting an Annual Compliance Plan to be submitted to the OCEIA by October 1st of each year.<sup>33</sup> This requires all City departments to develop and implement data collection instruments and/or mechanisms. City departments must utilize their data collection system to properly track and report the numbers and percentages of contacts made with LEP speakers, the language services provided, and the languages serviced (apart from English). Language services provided include in-person interpretations by bilingual employees, telephonic interpretations,

and translated communication materials.<sup>34</sup> City departments must also report their annual language access expenditures from the previous fiscal year and total budgetary projections. Language access expenditures include compensatory pay for bilingual employees, City vendor-provided services for in-person interpretation, telephonic interpretation, and written translation of materials, and a total projected budget to support progressive implementation of the department’s language service plan.<sup>35</sup> Qualitatively, City departments’ Annual Compliance Plans must include, but are not limited to, a description of

<sup>27</sup> San Francisco Office of Civic Engagement and Immigrant Affairs, “Advancing Language Access in San Francisco: Language Access Ordinance Annual Compliance Summary Report” (Mar, 2015): 5, <https://sfgov.org/ccsfgsa/oceia/lao-annual-compliance-reports>.

<sup>28</sup> S.F., Cal., Admin Code §§ 91.1b7.

<sup>29</sup> S.F., Cal., Admin Code §§ 91.1-91.16

<sup>30</sup> Ibid, 91.19c.

<sup>31</sup> Ibid, 91.1-91.16.

<sup>32</sup> Ibid, 91.2.

<sup>33</sup> Ibid, 91.12a.

<sup>34</sup> Ibid, 91.4 Et. seq.

<sup>35</sup> Ibid, 91.11n.

policies and services, language access support staff rosters, plans and strategies to meet requirements, explanatory assessment of service delivery performance, and summary changes.<sup>36</sup>

Under the LAO, the basic responsibilities of City departments include:

- 1. Informing LEP speakers of their rights to receive services in their dominant language;
- 2. Creating, maintaining, and annually reviewing their language access policy;
- 3. Designating a language access coordinator; and
- 4. Prioritizing the enactment of compliant language access services.<sup>37</sup>

As detailed above, the provisions of the LAO require City departments to provide oral language access services through in-person and telephonic interpretation. In-person language access services utilize bilingual employees to interpret for LEP speakers and provide them information and/or services in their dominant, threshold language.

### Office of Civic Engagement and Immigrant Affairs

According to Sec. 91.16 of the LAO, the Office of Civic Engagement and Immigrant Affairs has two main responsibilities: to enforce the LAO and to “provide a centralized infrastructure for the City’s language services and monitor and facilitate Departmental compliance.”<sup>39</sup> OCEIA acts in a supportive capacity for City departments by aiding in workforce development, maintaining tool repositories, and assisting with Annual Compliance Plans. It is

Telephonic language access services include the utilization of real-time interpretation outsourced to City vendors when bilingual staff are unavailable or unable to service the needs of LEP speakers in-person. Likewise, the LAO requires City departments to provide recorded telephonic messages about the City departments’ operations and/or services. By request, individuals may be provided an interpreter during public meetings and hearings, and afterwards provided a translation of the meeting minutes. The provisions of the LAO also require City departments to provide and post vital translated materials in threshold languages and disseminate translated materials from the federal and state governments. The Ordinance mandates that City departments employ and recruit sufficient bilingual staff in threshold languages to provide quality language access information and services to LEP speakers. Lastly, City departments are responsible for developing protocols to manage and mitigate language access needs during a crisis situation, utilizing bilingual staff to respond to LEP speakers’ critical needs via interpretation and the translation of warning signage.<sup>38</sup>

responsible for providing City departments with staff training and aiding in bilingual staff identification to ensure departmental compliance to maintain and develop a skilled workforce able to respond to language access needs. OCEIA aggregates and maintains language resources for City departments to utilize, including a directory of language service vendors, and repositories of translation equipment and translated documents. Likewise, OCEIA

also serves to enforce the LAO by monitoring departmental compliance to the language access needs of the community. Through the departmental Annual Compliance Plans and the LAO Summary Report, OCEIA monitors the current determination of LEP speakers in the City (disaggregated by language and by district) to recommend if any changes need to be made to meet the needs of emerging language populations.<sup>40</sup> Lastly, in terms of enforcement, OCEIA is responsible for maintaining complaint forms, resolving departmental complaints in a timely manner, investigating potential violations, and tracking departmental complaint trends.

### Immigrant Rights Commission

The final authoritative body detailed in the LAO is the Immigrant Rights Commission. The Commission is comprised of fifteen voting members appointed by the Board of Supervisors and the Mayor. The Commission has six main responsibilities:

- 1. To review OCEIA’s reports;
- 2. To review complaints and their resolution by OCEIA;
- 3. To recommend policy changes;
- 4. To identify new trends that may present challenges for language access;
- 5. To identify new practices that further the objectives of the LAO; and
- 6. To conduct public hearings related to items 1-5.<sup>42</sup>

Included in OCEIA’s duties is to compile and submit an annual LAO Summary Report to the Immigrant Rights Commission and the Board of Supervisors.<sup>41</sup> The LAO Summary Report serves as a monitoring tool to assess departmental compliance with the LAO and identify strategies and practices to further support progressive implementation of the Ordinance. This Summary Report is submitted by February 1st of each year and encompasses data from the prior fiscal year from July 1st - June 30th as well as departmental data that was submitted to OCEIA before October 1st.

The Commission serves in an advisory capacity to the Board of Supervisors and the Mayor to evaluate language access services and make recommendations to improve services that better respond to the issues affecting LEP speakers in the City and County of San Francisco.<sup>43</sup>

<sup>36</sup> Ibid, 91.11 Et. seq.  
<sup>37</sup> Ibid, 91.14.  
<sup>38</sup> Ibid, 91.9.  
<sup>39</sup> Ibid, 91.16.  
<sup>40</sup> Ibid, 91.1Ve.  
<sup>41</sup> Ibid, 91.12b.  
<sup>42</sup> Ibid, 91.15.  
<sup>43</sup> “About Us,” Immigrant Rights Commission, Office of Civic Engagement & Immigrant Affairs, accessed May 18, 2021, <https://sfgov.org/ccsfgsa/oceia/about-irc>.

## Research Methodology

Since 2012, the Language Access Network of San Francisco (LANSF) has collected data from Impact Stories and departmental Spot-Checks to monitor the effectiveness of the Language Access Ordinance as observed from the varied perspectives of its various community-based organizations. The Impact Stories and departmental Spot-Checks are collected and submitted as reports to the Office of Civic Engagement and Immigrant Affairs twice a year. LANSF contracted a Research Consultant in May 2018 to design and implement a research project to evaluate the effectiveness of the LAO from its communities' perspective. Focus Group Discussions (FGDs) were conducted in late 2018 and early 2019 and later transcribed, translated, and analyzed. Research concluded in early 2020 with a final self-reporting survey of LANSF organizations. Research participants included representatives from the member organizations of LANSF and LEP City residents. Due to limitations on community access and representation, this study is not informed by the emerging languages not represented in LANSF organizations. This study used three primary data collection methods:

1. Review of the annual LAO Summary Reports;
2. Spot-Checks; and
3. Qualitative community narratives.

Brief descriptions of these methods are to follow.

### REVIEW OF ANNUAL LAO SUMMARY REPORTS

As stated above, the LAO mandates OCEIA as the entity responsible for the collection of City departments' Annual Compliance Plans to aggregate into an annual LAO Summary Report. All public-facing City departments are required by the LAO to annually submit a compliance plan. The Board of Supervisors and the Immigrant Rights Commission utilizes OCEIA's Summary Reports to monitor departmental compliance and analyze trends for language access needs in the City. An archive of these reports is maintained on OCEIA's website for public access.<sup>44</sup>

<sup>44</sup> "Archives," Language Access, Office of Civic Engagement & Immigrant Affairs, accessed Apr 18, 2021, <https://sfgov.org/ccsfgsa/oceia/lao-annual-compliance-reports>.

### REVIEW OF SPOT-CHECKS

Since 2012, to monitor departmental compliance to the LAO, LANSF members regularly conduct departmental Spot-Checks (in-person and telephonic) and report to OCEIA their findings. Spot-Check evaluators were trained and supplied with OCEIA's Spot-Check forms to measure departmental compliance to language access in the threshold languages, as well as the quality of language access services which were provided. Spot-Checks assessed quantitative and qualitative metrics and provided evaluators the option to file a complaint against the department in their evaluation in the case that the Spot-Check revealed a LAO violation.<sup>45</sup>

### REVIEW OF QUALITATIVE COMMUNITY NARRATIVES

The emphasis of this research was placed on highlighting the experiences and impressions of LEP community members and the organizations of LANSF. The intent of this study is to provide an opportunity for the intended audience of the LAO to have an opportunity for their voices to be heard, and their experiences and opinions validated. This approach utilized the following three methods:

#### Community Based Organization Surveys

Members of LANSF were asked in the beginning of 2020 to use their CBO perspective to reflect on how language access was incorporated into their work, how they were currently interacting with City departments, and how they believed language access

could be improved. The survey responses were kept anonymous from LANSF members in an effort to obtain as much honesty as possible from the survey respondents.<sup>46</sup>

<sup>45</sup> See Appendices A and B.

<sup>46</sup> See Appendix C.

Impact Stories

Impact Stories have been collected quarterly by LAN organizations and submitted to OCEIA since 2013. Members of LANSF organizations utilize Impact Stories to both detail their impressions about the effectiveness of the LAO and recount their experiences with regard to assisting their clients to

Focus Group Discussions

The FGDs were designed to elicit information from LEP community members about the quality of the customer service they experienced at City departments, as well as their user experience in accessing and interacting with the language access services provided by City departments. Questions were informed by coding of Impact Stories and Spot-Check narratives.<sup>47</sup> FGDs were conducted in late 2018 and early 2019 by the CBOs of LANSF that primarily served threshold language populations.

FGDs included a minimum of 10 people per threshold language group (Chinese, Filipino, and Spanish). Participants were recruited by the individual organizations of LANSF to participate in a FGD organized by said organization. The individual organizations of LANSF were responsible for recruiting participants matching certain criteria. Participants were required to:

- 1. Be over the age of 18;
- 2. Give their informed consent;
- 3. Reside within the City and County of San Francisco;

receive language access services in threshold and non-threshold languages. These Impact Stories are both qualitative assessments and qualitative narratives based on their varied impressions and experiences.

- 4. Be active in at least one of the participating organizations of LANSF; and
- 5. Be familiar with the their language access rights and filing a complaint through LANSF against a City department for a language access violation.

The FGDs were conducted in late 2018 and early 2019 and consisted of semi-structured interviews lasting approximately one hour. LANSF offered participants a twenty-dollar gift card stipend in compensation for their time and participation. Participation was voluntary and participants were given the option to skip questions or end the interview early if they ever felt uncomfortable. No personal identifiers were collected. FGDs were recorded and later transcribed and translated into English. The recordings and translated transcriptions were encoded and stored in a password protected cloud-based system to be maintained by a LANSF administrator.

Findings

REVIEW OF ANNUAL LANGUAGE ACCESS ORDINANCE SUMMARY REPORTS

Challenges with Accessing and Interpreting Data

The challenge for third-party monitoring and evaluation of departmental compliance is the inability to access and review individual departments’ annual compliance plans. This includes their language service plans and policies, staffing strategy, self-assessment protocol, Spot-Check violation resolutions, and their actual annual language access expenditures to compare to their projected language access budgets from the prior fiscal year. OCEIA’s annual LAO Summary Reports serve as an easily accessible source for aggregated Citywide compliance data but does not easily lend itself as a tool for third-party evaluation regarding disaggregated departmental data. The LAO calls for departments to assess the quality of their own language access services, and while third-party performance reports through Spot-Checks exist, they go underutilized as a reporting mechanism to comparatively analyze departments’ self-assessments. Furthermore, self-assessments may be subject to information, publication, or self-serving biases, and should not be considered as the sole factor for departmental evaluations.

Service Delivery Data Over the Year

Below is service delivery data comparing service delivery changes from OCEIA’s LAO Summary Reports between FY15 and FY20 (henceforth understood as “beginning on July 1 and ending on June 30”)<sup>48</sup> disaggregated by language groups and City departments. Data used in this section was collected from OCEIA’s LAO Compliance Dashboards that “display aggregated data totals from each reporting departments’ annual compliance report [...] reported to OCEIA for an annual analysis”<sup>49</sup> of Citywide and departmental compliance. Due to changes in the FY20 LAO Compliance Dashboards, the aggregated Citywide compliance data cannot confidently be compared to the FY15-FY19 LAO Compliance Dashboards from a third-party research perspective. The FY20 staffing dashboard introduced *Certified Multilingual Staff*, distinguishing it from *All Multilingual Staff*.<sup>50</sup> As these terms differ from the term *Multilingual Public Contact Staff* used in the FY15-FY19 dashboards,<sup>51</sup> FY20 staffing data cannot confidently be compared to FY15-FY19 data. Likewise,

<sup>47</sup> See Appendix D.  
<sup>48</sup> S.F., Cal., Admin Code §§ 91.11.  
<sup>49</sup> “Language Access Compliance Dashboard,” Tableau Public, Office of Civic Engagement & Immigrant Affairs, last modified Jan 31, 2021, [https://public.tableau.com/views/LanguageAccessComplianceDashboard/Overview?:language=en&:display\\_count=y&:origin=viz\\_share\\_link](https://public.tableau.com/views/LanguageAccessComplianceDashboard/Overview?:language=en&:display_count=y&:origin=viz_share_link).  
<sup>50</sup> Ibid.  
<sup>51</sup> “LAO Departmental Compliance,” Tableau Public, SF Office of Civic Engagement and Immigrant Affairs, last modified Jul 10, 2020, [https://public.tableau.com/views/LAODepartmentalCompliance/Services?:language=en&:display\\_count=y&:origin=viz\\_share\\_link](https://public.tableau.com/views/LAODepartmentalCompliance/Services?:language=en&:display_count=y&:origin=viz_share_link).



the FY20 services dashboard utilizes the service terms *Translations*, *Telephonic Interpretations*, and *In-Person Interpretations* in lieu of the terms *Materials Translated*, *Call Volume*, and *Interpretations*, respectively, that were used in the FY15-FY19 dashboards. Due to these changes in terminology, FY20 service data cannot confidently be compared to FY15-FY19 data. However, for the purpose of this research analysis, Citywide and departmental compliance is informed by data from FY15-FY20, and operationalizes the FY20 service and the *All Multilingual Staff* terms to compare to FY15-FY19 data.

1.

Citywide Review

Through review of FY15-FY20 LAO Compliance data, the following themes emerged as Citywide trends. Visit <https://caasf.org/language-access-network/><sup>52</sup> to see the data used in this analysis.

A

LAO Compliance Accountability

The 2021 LAO Summary Report states that while 56 departments are required to submit reports, only 53 actually submitted their reports to OCEIA.<sup>53</sup> According to the 2021 report, of those 56 required departments, only “41 attended OCEIA’s LAO training, 47 trained staff on LAO policy, 51 had one-on-one consultations with OCEIA, and 46 have a written LAO policy.”<sup>54</sup> The LAO states that it is required for OCEIA to conduct yearly trainings for department staff,<sup>55</sup> and departments must have a written LAO policy,<sup>56</sup> ongoing training for staff,<sup>57</sup> and must submit an annual compliance plan before October 1st each year.<sup>58</sup> Departmental expectations are clearly defined in the

LAO, and OCEIA extends great support to departments through consultations, material resources, and trainings to help them meet the requirements of the LAO. Yet because the LAO lacks any enforcement mechanisms to hold departments accountable for violations, departments may lack incentive to comply with the mandates of the Ordinance. From a third-party perspective, it is difficult to study departmental trends and to monitor accountability for improved intervention because the department names are not published in relation to compliance violation data in the annual LAO Compliance Summary Reports. Community stakeholders such as LANSF must be able to have access

to review and evaluate City departments plans and expenditures to ensure greater accountability and monitoring.

Furthermore, the LAO applies “to all City Departments that provide information of services directly to the public.”<sup>59</sup> As of publication of this LANSF report, there are currently 96 City Departments,<sup>60</sup> which suggests that 40 City Departments are either exempt from reporting or non-compliant to the LAO. Understandably,

out of these 40 City Departments, not all may be public-facing. However, there are several Departments that meet the LAO’s base criteria to “provide information or services directly to the public,”<sup>61</sup> and have either been exempt or failed to comply with the LAO. There must be more clarity about departmental exclusion from the LAO, and stronger enforcement mechanisms to ensure that true Citywide compliance to the LAO is met.

B

Inconsistent Data Collection Methods

Data collection methods have been inconsistent across departments and across the years. While the LAO does require departments to designate a language access coordinator,<sup>62</sup> the only instructions the LAO provides for qualitative performance review is to provide:

1. “An explanation of strategies and procedures that have improved the Department’s language services from the previous year; and
2. An explanation of strategies and procedures that did not improve the Department’s language services and proposed solutions to achieve the overall goal of this Language Access Ordinance.”<sup>63</sup>

OCEIA has been working with departments over the last several years to improve their data collection methods.<sup>64</sup> As referenced above, there needs to be more transparency in the departments’ research instruments and methodology to better monitor and evaluate their service delivery and compliance. All data must be able to be disaggregated by department and language. This trend for data collection standardization must be prioritized and better enforced to ensure departmental accountability and data consistency.

<sup>52</sup> “OCEIA Dashboard Data,” Language Access Network, Chinese for Affirmative Action, last modified May 3, 2021, <https://caasf.org/language-access-network/>.

<sup>53</sup> SF OCEIA, “2021 LAO Report,” 3.

<sup>54</sup> Ibid.

<sup>55</sup> S.F., Cal., Admin Code §§ 91.16a.

<sup>56</sup> “About Us,” Immigrant Rights Commission, Office of Civic Engagement & Immigrant Affairs, accessed May 18, 2021, <https://sfgov.org/ccsfgsa/oceia/about-irc>.

<sup>57</sup> Ibid, 91.11a.

<sup>58</sup> Ibid, 91.11h.

<sup>59</sup> Ibid, 91.2.

<sup>60</sup> See Appendix E.

<sup>61</sup> S.F., Cal., Admin Code §§ 91.2.

<sup>62</sup> Ibid, 91.14c.

<sup>63</sup> Ibid, 91.11o.

<sup>64</sup> SF OCEIA, “2021 LAO Report,” 6.



C **Inconsistent Budgets**

Across departments, trend lines for expenditures of departmental languages services have been inconsistent. In review of the data from FY15-FY20 on total language services budget, of the current 56 departments, budgets increased for 20 departments and decreased for 5 departments from their first to most recent budget disclosures, while 31 departments were unable to be compared due to failure

to report.<sup>65</sup> Again, all data for departments must be disaggregated to understand how they are investing in language access services. Departments' annual compliance plans and their annual expenditures must be made accessible to better measure progress and hold accountable for projected financial investments in LEP services including staffing and training.

D **Bilingual Public Contact Staff Attrition**

This LANSF report recognizes that findings on staffing patterns are subject to external factors. However, attention must be called to the steady decrease in multilingual public contact staff from FY15-FY20. Per OCEIA Dashboard Data,<sup>66</sup> attrition rates from FY15-FY20 for public contact staffing are as follows:

- Cantonese decreased by 43%
- Mandarin decreased by 26%
- Filipino decreased by 64%
- Spanish decreased by 55%

E **Clients and Services to Staffing Ratio - By Language (FY15 & FY20)**

As stated above, due to inconsistent and non-standardized data collection methods, the results reported below may not portray an accurate representation of actual increases or decreases in services provided. However, from OCEIA Dashboard Data review, we can see a great increase in clients served and services provided

over the last six years. This demonstrates successful outreach to LEP speakers and increased language access services by departments. Given the staff attrition noted in the above section, it is important to note the client to staff and service to staff ratios. While clients and services have both increased significantly, the workload on

multilingual staff has also increased, which may contribute to worker dissatisfaction and attrition if not properly supported. This

increased, workload demand on multilingual staff must be addressed to ensure they have a comfortable work environment.

**CHINESE (FY15 & FY20)**

<b>Cantonese interpretations</b> 44% increase	<b>Cantonese call volume</b> 34% increase	<b>Cantonese LEP clients</b> 84% increase	<b>Cantonese public contact staff</b> 43% decrease
<b>Cantonese interpretations to Cantonese public contact staff</b> 41:1 » 103:1 151% increase		<b>Cantonese LEP clients to Cantonese public contact staff</b> 125:1 » 403:1 222% increase	<b>Chinese Materials Translated</b> 287% increase
<b>Mandarin interpretations</b> 2% decrease	<b>Mandarin call volume</b> 32% increase	<b>Mandarin LEP clients</b> 77% increase	<b>Mandarin public contact staff</b> 26% decrease
<b>Mandarin interpretations to Mandarin public contact staff</b> 17:1 » 22:1 29% increase		<b>Mandarin LEP clients to Mandarin public contact staff</b> 34:1 » 82:1 141% increase	

**FILIPINO (FY15 & FY20)**

<b>Filipino interpretations</b> 389% increase	<b>Filipino call volume</b> 119% increase	<b>Filipino LEP clients</b> 51% increase	<b>Filipino public contact staff</b> 64% decrease
<b>Filipino interpretations to Filipino public contact staff</b> 2:1 » 30:1 1,388% increase		<b>Filipino LEP clients to Filipino public contact staff</b> 16:1 » 66:1 312% increase	<b>Filipino Materials Translated</b> 759% increase

**SPANISH (FY15 & FY20)**

<b>Spanish interpretations</b> 8% increase	<b>Spanish call volume</b> 126% increase	<b>Spanish LEP clients</b> 84% increase	<b>Spanish public contact staff</b> 55% decrease
<b>Spanish interpretations to Spanish public contact staff</b> 39:1 » 94:1 141% increase		<b>Spanish LEP clients to Spanish public contact staff</b> 77:1 » 314:1 308% increase	<b>Spanish Materials Translated</b> 256% increase

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

## 2. Departmental Review

The following departments are highlighted due to their high rate of contact with LEP communities, emergency operational role in COVID-19 crisis response, and frequent reports of Spot-Check violations. Visit <https://caasf.org/language-access-network/> to see the data used in this analysis.<sup>69</sup>

### A Department of Public Health

The Department of Public Health's (DPH) language access budget for FY20 was \$6,108,727.00. This budget should guarantee that there is staff to properly report required data to OCEIA. However, in FY16, FY17, FY18, and FY20 DPH did not report data on interpretations, and no interpretation data was collected for Filipino in FY19. No data was reported in FY19 and FY20 for public contact staff, and no client data was collected in FY20. The only figures DPH reported in FY20 were for materials translated, which equated to a cumulative total of 324, and call volume, which equated

to a cumulative total of 239,441. This is unacceptable and has been a trend of DPH for the last five years to not report their language access service delivery. There must be greater oversight and accountability to ensure that departments are at least fulfilling the minimum requirements of the LAO. With the second largest language access budget,<sup>70</sup> and with frequent reports of Spot-Check violations, DPH must be routinely monitored to ensure corrective action is in place.

### B Human Services Agency

The Human Services Agency (HSA) has been inconsistent in reporting since 2015. Interpretation data was not collected in FY15 or FY18, and in FY16, FY17, and FY20 interpretation data was not collected for Mandarin. While clients served and services provided have increased over the years, the ratio between clients and staff, and services provided and staff have also grown wider, most notably seen in Cantonese where the

interpretation to staff ratio in FY20 increased 67% from FY16 to 172:1, and where the client to staff ratio in FY20 increased 34% from FY15 to 245:1. If multilingual staff attrition is of concern, HSA must consider this growth ratio in their annual language access plans as they may need to prepare for additional staff to meet increased demand and not overwhelm the existing workforce.

### C Municipal Transportation Agency

The Municipal Transit Authority (MTA) has also been inconsistent with reporting interpretation data throughout the years. The only year interpretation data was successfully reported was in FY17. MTA regularly reported 0s, or single digit figures across service categories. This consistently

low figure reporting should be investigated. Reporting for Filipino services and clients throughout the years has consistently been disproportionately low and should also be investigated.

### D Police Department

The Police Department (SFPD) has inconsistent reporting on interpretations, staffing, materials, and clients from FY15 to FY20. Reporting 0s, 1s, or consistently low figures in interpretation and translations should be investigated. The increase in the ratio of LEP clients to multilingual public contact staff from FY15-20 is notable, particularly in Mandarin and Spanish where the workload increases were 3620% and 739%, respectively. Additionally, in a year of great uncertainty with the COVID-19 pandemic and protests over racial justice,

SFPD only reported ten translated materials per language in FY20. Given there are ten SFPD stations serving the unique language access needs across the City,<sup>71</sup> there should be clarification on whether this figure is aggregated or disaggregated across stations. While low figures reported should be investigated, from an emergency management perspective, there should also be clarification on what materials were translated and where they were posted, with this information disaggregated to the supervisorial-district level.

### E Public Library

From FY15-20, the San Francisco Public Library (SFPL) has not reported data on interpretations. Filipino services reported are consistently low compared to other languages. In FY20, 9 materials were translated into Filipino compared to 564 into Chinese and 513 into Spanish respectively. No data was reported for Filipino calls in FY16, FY17, or FY18. SFPL had no Filipino public contact staff reported until FY20 and as of publication of this report, its website

is only available in English, Spanish, and Cantonese. Likewise, language services provided are comparably low in relation to client data reported, which warrants clarification on how client data is collected due to such discrepancy. An example of this is in FY20, no data was reported for Cantonese interpretations, Cantonese call volume was reported as 12, but Cantonese clients were reported as 120,243. Service data ought to corroborate client data.

<sup>69</sup> Ibid.

<sup>70</sup> Ibid.

<sup>71</sup> "Stations," Your SFPD, San Francisco Police Department, accessed Apr 4, 2021, <https://www.sanfranciscopolice.org/your-sfpd#paragraph-511>.

F Recreation and Park Department

The Recreation and Park Department (RPD) has a poor reporting record throughout FY15-FY20. Reporting for interpretations has been inconsistent; vacillating between not reporting, reporting 0s or 1s, to reporting highly variable figures. An example of this is for Spanish interpretations; 12 were reported in FY15, nothing was reported in FY16, 3,500 were reported in FY17, 1 in FY18, 0 in FY19, and 107 in FY20. This erratic reporting should be investigated. While the language access budget for RPD has increased from FY15 to FY20, their budget increased dramatically from \$51,820 in FY15 to \$336,251 in FY16. This budget has steadily declined over the last five years by 74% to \$86,256 in FY20. It is imperative that language access expenditures are also reported to analyze the impact language access spending has on service delivery. Lastly, as appears to be a common trend across departments, RPD’s reporting record for Filipino is also deficient. Data for Filipino interpretations was only reported in FY17 and FY18 where it decreased from 3,000 interpretations to 1. Filipino call volume and client data has never been reported, while data on other languages have been reported consistently. Filipino reporting must be prioritized to ensure Filipino LEP speakers receive necessary support and services through proper monitoring.

REVIEW OF SPOT-CHECKS

Through review of 2015-2020 Spot-Check data, the following violations emerged as trends. Visit <https://caasf.org/language-access-network/><sup>72</sup> to see the data used in this analysis.

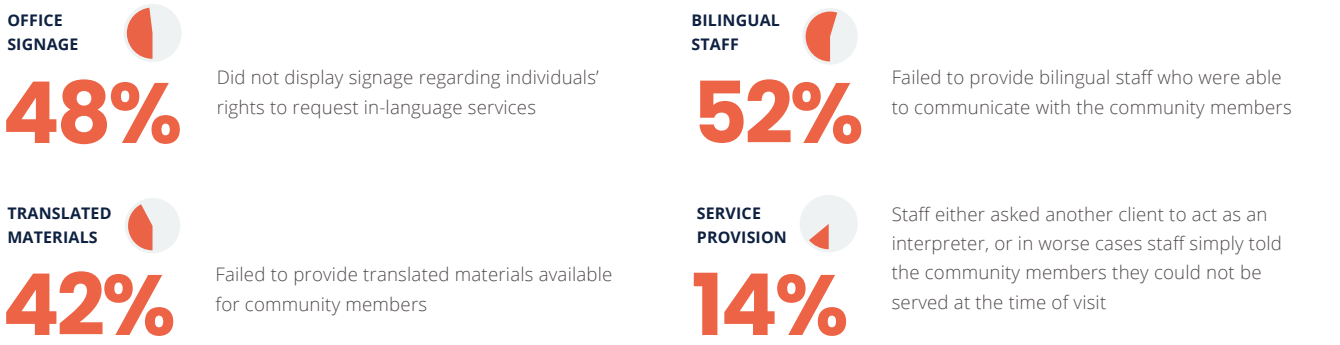
Challenges with Interpreting Spot-Check Data

Spot-Checks have been collected by LANSF since 2012, and since 2015 LANSF has submitted collected data to OCEIA via SurveyMonkey. The database of Spot-Check reports is maintained by OCEIA, and accessible by request through OCEIA. However, without access to departments’ Annual Compliance Plans, it is difficult to interpret Spot-Check trends in relation to the departments’ qualitative self-assessments regarding the quality of their own language access services. Likewise, the reporting methodology may be subject to personal biases of the reporters due to past experiences with certain departments.

<sup>72</sup> Language Access Spot-Check Review,” Language Access Network, Chinese for Affirmative Action, last modified May 3, 2021, <https://caasf.org/language-access-network/>.

In-Person Violations

Out of the total in-person Spot-Checks collected between 2015-2020, departments violated the LAO at the following rates:



18% of the Spot-Checks included negative ratings for “quality of language service” and “customer service” due to one or more of the following reasons:

- 1. There were no available bilingual staff, or the staff’s language skills were limited, and thus unable to provide assistance in-language;
- 2. The wait time for staff to ask for assistance from another person of the same or a different office, or to use the language line, was too long, resulting in hours of wait at the office;
- 3. The non-bilingual staff did not know how to use the language line; and
- 4. Other members of the offices, e.g. security guards and receptionists, lacked the cultural and linguistic competency to assist LEP community members and facilitated an unfriendly environment where community members did not feel encouraged to exercise their rights and seek services in their own languages.

Telephonic Violations

Telephonic Spot-Checks collected between 2015-2020



The most common issue surfaced with telephonic Spot-Checks is the frequent use of automated messaging systems, which are often accompanied by complex and long verbal cues centered around English-speaking users and extended waiting and transferring time. As a result, the telephonic directories are difficult to navigate and can be highly discouraging to LEP immigrants and elders. Furthermore, when community members raised questions that required specific members of the department to answer, the voicemail instructions were often only in English.

**Customer feedback must be prioritized to help departments be better equipped to respond to the needs of the people who access their services.**

Accountability

Overall, in the data collected between 2015-2020, there were 35 instances across in-person and telephonic Spot-Checks where a language barrier was identified but no service or follow-up was provided by the staff, e.g. community members were told they could not be served and/or hung up on the call. Across in-person and telephonic Spot-Checks, the six most frequent violators of the LAO are the Department of Public Health, the Human Services Agency, the Municipal Transportation Authority, the Police Department, the Recreation and Park Department, and the SF Public Library. In those poorly rated cases, community members were functionally denied services because departments did not have translated and readable materials, did not provide bilingual staff or Language Line assistance, asked community members to wait a longer than average period of time to receive equitable services, or failed to provide respectful treatment.

Data, and especially these reported incidents, reflect inadequate enforcement of the LAO and an alarming absence of robust cultural competency training and standards for delivering bilingual services among City departments to sufficiently serve San Francisco’s residents. Furthermore, these instances reflect poorly on the City’s actions to uphold values of sanctuary, equity, and respect for all members of society.

REVIEW OF QUALITATIVE COMMUNITY NARRATIVES

CBO Survey

Challenges with Interpreting CBO Survey Results

The challenge with interpreting the CBO Survey results is the longevity of the data source. CBOs should be regularly consulted to evaluate the community stakeholders’ perspectives on the efficacy and implementation of the LAO. As with the challenges of departments’ self-assessment data validity, CBO survey results may be subject to information, personal, publication, or recall biases.

<sup>73</sup> Chinese for Affirmative Action, “Language Access Spot-Check Review.”

Survey Responses

The individual CBOs that comprise LANSF provide a wide range of holistic services surrounding language rights education and advocacy including: case management, civic and community engagement, community health and direct services, immigration legal assistance, interpretation and translation, personal transformation, service connections, and social and economic justice advocacy. In early 2020, nine CBOs responded to the following questions:

What City services are most frequently utilized for language access requests by community members?

Survey respondents replied that 24% of requests were for the Department of Public Health; 24% of requests were for the Human Services Agency; 12% of requests were for the Municipal Transportation Agency; and 40% comprised various other City departments.

How can the City and CBO partners improve their current approach to language access?

- To help shift our thinking around language access so that it is seen as an essential human right, we can start thinking of it as a broader network of support for the community. Building closer partnerships between CBOs and the City will help ensure linguistically accessible services for all San Francisco residents. CBOs and departments should partner to:
- Improve language access
  - Ensure departments allocate adequate budgetary resources for the provision of linguistically accessible services
  - Plan all projects with the LAO in mind
  - Provide CBOs direct avenues of contact at departments to address language access problems and gaps
  - Share protocols describing avenues of recourse for community members who speak non-threshold languages, who currently are not covered under the LAO, and therefore not afforded any protections or guarantees of service provision in-language

Describe any challenges you’ve experienced that have made it difficult to provide services and/or advocacy to achieve language justice.

The challenge to providing language justice is in the accountability of the LAO itself. There are little to no measures to hold departments accountable for implementation. Service delivery of translation and interpretation is subject to quality failure. The LAO must reinforce that the onus of interpretation and translation is on departments rather than on community members. Translation and interpretation services often come back to the CBOs due to the City’s violation of the LAO. Lastly, there needs to be more done to build capacity for non-threshold language access.



Focus Group Discussions and Impact Stories

Challenges with Interpreting Focus Group Discussions and Impact Stories

The challenges with interpreting Focus Group Discussions and Impact Stories is that these methods are also subject to recall bias by research narrators. Narrators of Impact Stories may also be subject to information, personal, and publication biases. Research facilitators for FGDs may also bias results by pressuring narrators to respond in the manner the facilitator is seeking. FGDs provoke responses to elicit group discussion, so it is difficult to distinguish group mentality from the individual. The research facilitator may also struggle to invoke a group dynamic. Some narrators may dominate the conversation where others may be uncomfortable sharing their thoughts in front of others. Lastly, some research topics may be too personal to discuss in a group setting.

Themes

The Impact Stories and FGDs were compiled and analyzed for emerging themes. The themes that emerged from these community narratives highlight the deficiencies and efficiencies in the Ordinance’s ability to effectively actualize City departments’ service delivery plans to the LAO’s intended LEP audience. Through the LEP community’s recounting of lived experiences of requesting and receiving language access services at City departments, this study demonstrates the importance of including community voices in analyses of performance measurements. Below are the ten themes that emerged from analysis:

1. Quality Control of Translation and/or Interpretation

The following quote exemplifies the importance of ensuring that there are sufficient trained interpreters for emergency situations. While this incident happened 16 years ago, the impression it left on this speaker is lasting because of the emotional and financial trauma they endured due to a lack of provision of quality interpretation services at the public hospital.

“

En 2005, cuando llegué a este país, mi esposo fue agredido y no presentamos un informe policial, pero lo llevamos directamente a la sala de emergencias del SF General Hospital. Cuando llegamos a la sala de emergencias no había nadie para interpretarnos al español y nos prestaron poca atención, y se estaba desangrando. Se nos acercó un oficial de policía que quería hacer un informe, pero como tampoco hablaba español, no pudo hacerlo. Luego fue atendido por la enfermera, pero la

In 2005, when I got to this country, my husband was assaulted and we did not file a police report, but we took him directly to the emergency room at SF General Hospital. When we got to the emergency room there was no one to interpret for us into Spanish and they paid little attention to us, and he was bleeding out. We were approached by a police officer who wanted to do a report, but because he also did not speak Spanish, he couldn't do the report. Then he was attended by the nurse, but the quality of the

calidad de la interpretación no fue muy buena, no lo entendimos. La enfermera entendía muy poco español, puso una grabación de voz en el teléfono para buscar ayuda de interpretación, porque no había nadie para interpretar, hizo lo que pudo para interpretar al español. No entendíamos muy bien lo que le había recetado y cuánto iba a pagar. En ese tiempo, no teníamos seguro médico y él incurrió en una deuda de \$12.000 por ser atendido. Fui más tarde y no sabía que teníamos una deuda que pagar y que tenía que firmar unos trámites. Habíamos recibido cartas por correo, pero cuando finalmente fui a pagar, el interés era extremadamente alto. Debido a que no podía entender el idioma y porque no ofrecían interpretación, teníamos una gran deuda.

interpretation was not very good, we did not understand. The nurse understood very little Spanish, she put a voice recording on the phone to look for interpreting help, because there was no one to interpret, she did what she could to interpret into Spanish. We did not understand very well what she had prescribed to him and how much he was going to pay. In that time, we did not have health insurance and he incurred a debt of \$12,000 for being attended. I went later and was not aware that we had a debt to pay and that I had to sign some paperwork. We had received letters in the mail, but when I had finally gone to pay, the interest was extremely high. Because I could not understand the language and because they did not offer interpretation, we had a huge debt.

2019 FGD, Mujeres Unidas y Activas (MUA) / People Organizing to Demand Environmental and Economic Rights (PODER)

The next example demonstrates the importance of implementing quality translation services. While this example demonstrates that the translations may be grammatically correct, if the translation is not relevant to the target audience’s vernacular, it does not meet the objective of properly communicating.

“

Malinaw na ang sinumang gumawa ng mga pagsasalin para sa mga liham na ipinadala ng City Hall o mga tanggapan ng gobyerno sa SF ay hindi katutubong nagsasalita ng Filipino / Tagalog. Marahil ay hindi sila lumaki na nagsasalita ng wika o kanilang kaalaman tungkol sa kung paano kulang ang regular na mga ordinaryong Pilipino. Gumagamit sila ng mga salitang kumplikado kung kaya’t ang isang tao na lumaki sa Pilipinas ay hindi man ginagamit ang mga ito. Hindi namin

It is clear that whoever creates the translations for the announcements released by City Hall or other government offices in San Francisco is not a native Filipino/Tagalog speaker. It is likely that they were not raised speaking the language, or their knowledge of the regular speech of ordinary Filipinos is lacking. They use complicated terminology, which is not regularly used by a person who grew up in the Philippines. We really don't know if they just use Google Translate, or if they really



*talaga alam kung ginagamit lang nila ang Google upang magsalin o talagang alam nila kung paano magsalita ng wika. Halimbawa, gamit ang trabahong “salumpwit” kung kailan nila magagamit ang salitang “upuan” o “silya”. Dapat mayroong isang pamantayang antas ng Tagalog na maunawaan ng bawat Pilipino, anuman kung mula sila sa Maynila, Bisaya, o Pampanga.*

*understand how to speak the language. For example, using the word “salumpwit” when the more common term, “upuan” or “silya” can be used instead. There should be a standard level of Tagalog that can be understood by every Filipino, regardless if they’re from Manila, Visayas, or Pampanga.*

2018 Filipino Community Center (FCC)

## 2. Cultural Responsiveness in Providing Services

This next quote testifies to the discriminatory experiences LEP speakers continue to face. The fact that this type of treatment was delivered by a City employee is inexcusable, and a clear indicator that more emphasis must be placed on ensuring that City staff be required to attend cultural sensitivity training and/or improve the training already available.

*This quarter, our promotoras conducted several in-person and telephonic Spot-Checks at various city agencies. After debriefing on how their visits went, it was interesting to hear how all their experiences differed. Some were treated very well and got to experience the LAO executed correctly. On the other hand, we had promotoras who were told no one at the agency spoke their language and were given the runaround as to who to ask for help. When one of our promotoras visited the Department of Emergency Services & Emergency Medical Services and solicited in-language services, a city employee made a comment in English that was very disrespectful. The comment was in judgment of her not speaking English and living in the United States. As this employee continued to make disrespectful remarks, they never offered the services of language-line. Being that there were no bilingual employees, nor the offer of language-line services, we can infer that this City department was not complying with the LAO. It is not the job of city employees to pass judgment on our communities’ language barriers; they are there to ensure equal access to resources and services for all San Francisco residents. It is imperative that these issues are addressed to ensure that our language rights are not violated, and our community feels confident in accessing the needed services to live dignified lives.*

2018 Impact Story, PODER

The following example dates back to 2014 and details the racism African migrants in the City experienced from health professionals during the Ebola pandemic. Especially in this new age of COVID-19 and the Black Lives Matter movement, discriminatory actions in the healthcare industry are intolerable and must be swiftly acted upon to ensure the health and safety of all community members.

*The African Advocacy Network raises visibility on linguistic and cultural isolation faced by community empowered community members (mainly businesses) to come out and share their experiences publicly. We had two business owners come out to speak to KQED. We also had clients who spoke out on social media on the poor treatment they receive at medical facilities. One such example is: “Every time I come to the doctor’s office and they ask me, “Did you go to West Africa?” I feel like screaming I’m West African. West Africa is not a country and only 3 countries in West Africa are affected by Ebola virus. We are not a virus. I complained to my doctor before but next time I will ask to see the nurses’ manager. In addition to racism, they treat us like viruses. Enough is enough.*

2014 Impact Story, African Advocacy Network (AAN)

## 3. Addressing the Needs of Communities that Speak Non-Threshold Languages

As the LAO only recognizes the threshold languages of Chinese, Filipino, and Spanish for provision of language access services, speakers of non-threshold languages experience difficulty and confusion on how to receive assistance in their dominant language. The quote below details this struggle:

*A Syrian father of 7 new to the US came into Arab Resource and Organizing Center in need of housing after spending the first two weeks here in a hotel. He attempted to go to a housing agency and did not get help due to the language barrier. He didn’t know he could request an interpreter. No signs were visible in Arabic, and none of the staff offered interpretation. After hearing from a fellow community member about AROC, he came in to seek assistance. Our staff helped him get support with low income housing, accompanied him on the tours and assisted in the applications. He and his family were successful in finding housing, and he has enrolled in night time English classes.*

2018 Impact Story, Arab Resource and Organizing Center

#### 4. Improving Accountability Process when the LAO is Violated

The quote below could be categorized in several other themes in this report, but given the sensitive nature of this topic, it applies most relevantly to improving accountability. The scenario describes a survivor of an assault attempting to file a police report using language access services, to later discover that the police report willfully omitted key aspects of her case. While the discriminatory actions against this City resident are unacceptable, it is even more intolerable to condone falsification of police reports. Without the support of CBOs, the likelihood of a Latina immigrant woman challenging the validity of her interpreted police report is questionable. Emergency services must be held to a higher standard, and accountability for these departments' wrongdoings must be more transparent.

“

*For our client population, most of the [language access issues] among city agencies [have] been with the San Francisco Police Department. Many of our community members report having language access issues when filing and receiving police reports. One of the recurring reports we get from community member survivors of violence, some of whom have come to our offices to have their police report read to them, is that their recorded statements omit key portions of their self-report, that the incident of violence is lessened, and statements are added that put the survivor's reliability to question. Many only find out after having a mental health provider, lawyer, or English speaking family member read to them their report.*

*One example is of a community member who had filed a police report soon after a traumatic assault experience. She reported that witnesses were present and available to identify the suspect. She had pictures of the injuries and contusions to her head and torso. She came into our offices in San Francisco to follow up regarding the traumatic experience and asked our staff to translate the police report for her. She was appalled by the officer's statement that there were no visible injuries, no witnesses available and that she had lost consciousness and had poor recall. Community members report that when they receive these police reports, there is no way for them to verify or validate their statements because of the language barrier and lack of translation for the report. Additionally, Latina immigrant women community members report that police are biased towards reports of assault and violence because of messages that immigrants are looking for U-visa or a way to seek asylum.*

2016 Impact Story, MUA

The example below provides a positive example of how LANSF and OCEIA work well together in pursuit of correcting LAO violations. However, if departments had better training for staff on the public's right to language access, as well as people's right to complain when language access has been denied, situations like the one below could be avoided.

“

*In the month of March, a staff member of Chinese Affirmative Action witnessed a violation of the Language Access Ordinance on MUNI where a man who was carrying multiple bags of cans for recycling was asked to get off a crowded bus. The monolingual Chinese-speaking man did not understand the instructions of the MUNI driver. After some heated debate between the driver and community member, the driver motioned for the community member to get off the bus which he did, however he was very confused as to why he was asked to leave. Before the doors closed, one SFMTA worker asked CAA staff to translate for her so the man would understand why he was being asked to get off the bus. CAA staff worker asserted the man's right to translation through the Language Access Ordinance, but the bus driver closed the door and drove away before any further action was taken. CAA staff filed a complaint on the man's behalf, however received no response. Upon further investigation through OCEIA, CAA staff found that 311 had logged the complaint as "Discourtesy to customer" rather than a Language Access violation. CAA is working with OCEIA to ensure that cases like these get logged as language access violations and complaints rather than slipping through the cracks.*

2018 Impact Story, Chinese for Affirmative Action (CAA)

#### 5. Long Wait Times

The next passage explains the difficulties Filipin(a/o)s experience in receiving language access services. Representing the smallest demographic of the three threshold languages, requesting Filipino language assistance must be held to the same standard as Chinese and Spanish to avoid unfair and unequal subjugation to long wait times.

“

*Hindi lahat ng mga establisimiyento ay may access sa wikang Filipino doon at doon. Malinaw na maliwanag lalo na kapag nakita mong laging mayroong isang pagsasalin ng Tsino o Espanyol at / o tagasalin na magagamit. Siguro kapag nasa Daly City ka, madali kang makahanap ng isang taong nakakaalam ng Tagalog, ngunit sa bayan ng SF kung saan walang maraming mga Pilipino,*

*Not all establishments have Filipino language access then and there. This is very clear and evident, especially when you see that there is always translation or a translator available in Chinese or Spanish. Perhaps when you are in Daly City, it is easy to find a person who understands Tagalog, but in the city of San Francisco where there are not as many Filipinos, you*

tiyak na mahihirapan ka. Ang mga tanggapan at serbisyo tulad ng 911 o ang post office ay dapat na madaling makuha ang mga ito. Halimbawa, kung pupunta ako sa city hall, kailangan kong magtanong at tingnan kung may isang Pilipino na nagtatrabaho doon kahit na hindi sila mula sa kagawaran na tinatanong ko at hilingin sa kanila na tulungan ako. Ang mga simpleng bagay tulad ng pagkuha ng ID ay mas mahirap dahil wala silang handa na tagasalin.

will definitely have a difficult time. Offices and services such as 911 or the post office should have this [Filipino language access] readily available. For example, if I visit City Hall, I would need to look for a Filipino working there and ask for their help, even if they are not from the department I am inquiring with. Simple matters like getting an ID are more difficult because they don't have a prepared translator.

2018 FGD, FCC

Like the example above, this quote explains the difficulty to receive services when the speaker is not a member of the threshold language group. As a crime victim, this person should not have to wait an unnecessarily long period of time to move his case forward based on the inability to secure him proper interpretation assistance.

*X survived a hit and run and has been unable to get information from the police as to what is being done regarding his case. Although the station has always provided him with interpretation via telephonic services, he still feels that it's hard to communicate and that if he spoke English he would've gotten a response from them rather than being continually told to wait and return. On his behalf, acting as an interpreter, the language access coordinator of AROC spoke to the Victim Services in the District Attorney's office to pursue his issue.*

2015 Impact Story, AROC

#### 6. Discomfort Seeking Services due to Language Barrier

Language justice ensures that anyone regardless of language spoken is entitled to and able to access language assistance. As a direct result of insufficient cultural responsiveness, the speaker below describes why they do not feel comfortable asserting their own language access rights. Events like those detailed by the speaker can cause undue stress and result in negative health and safety consequences for those with similar experiences and feelings.

*Pues si, a la policía no le gusta que uno pida en español, pero también en el distrito escolar les molesta si uno pide español. Las filas de personas que están esperando ser atendidos en español son más largas al pedir interpretación. Es humillante. Quisiera hablar inglés, pero mi cabeza no, me da para entender. Es frustrante, mucho. Una se siente impotente.*

*Well, yes, the police don't like it when you ask in Spanish, but the school district is also bothered if you ask for Spanish. The lines of people waiting to be seen in Spanish are longer when requesting interpretation. It is humiliating. I would like to speak English, but my head doesn't allow me to understand. It's frustrating, a lot. One feels powerless.*

2019 FGD, Central American Resource Center (CARECEN SF)

#### 7. Miscommunication on Services Provided by City Departments

Similar to the example above, this speaker also experienced poor treatment by City staff, and suffered undue stress and confusion due to their lack of respect and appropriate cultural response. Experiences like these have long lasting impressions on people, and may cause individuals to be less likely to attempt to access these public services again.

*Quando te remiten al lugar equivocado, uno siente un trauma porque no sabe cómo actuar. Lo envían a una oficina en la que no necesita estar y no es el lugar adecuado que figura en la hoja informativa que tiene. Además de eso, te tratan mal. Cuando me remitieron al lugar equivocado para pagar mis facturas en Ginebra, me trataron terriblemente. El hombre que asistía hablaba español, era latino. No estoy seguro de por qué no le gustaba o tal vez estaba de mal humor, y comenzó a gritarme. Esto fue en 2005 cuando estábamos pagando las facturas médicas de mi esposo. El empleado me decía que no estaba siguiendo el proceso y que estaba en el lugar equivocado. Subía y bajaba por el edificio hasta diferentes ventanas de servicio, pero nadie me*

*When you get referred to the wrong place, one feels trauma because you do not know how to act. You get sent to an office that you do not need to be in and it is not the right place listed on the informational sheet that you have. On top of that, they treat you badly. When I was referred to the wrong place to pay my bills at Geneva, I was treated terribly. The man who was attending spoke Spanish, he was Latino. I am not sure why he had a dislike for me or maybe he was in a bad mood, and he started yelling at me. This was in 2005 when we were paying my husband's medical bills. The clerk was telling me that I was not following the process and I was in the wrong place. I was going up and down the building to different service windows, but no one was giving me any services in my language. I could not understand them,*

*prestaba servicios en mi idioma. No pude entenderlos y les dije que me hablaran en español. Me decían que no había nadie y que volviera más tarde.*

*and I told them to speak to me in Spanish. They would say to me that there was no one and to come back later.*

2019 FGD, MUA/PODER

## 8. Impact of Community Presentations

A positive example due to the collaborative work by LANSF and OCEIA is increased community knowledge about language rights. The quote below describes the empowering impact community presentations have on LEP speakers to utilize what resources are available to help them flourish in the City.

“

*Recibir información sobre mis derechos lingüísticos pienso que me ha ayudado como migrante porque antes me daba mucha vergüenza pedir formularios o servicios en español, pero como he ido a charlas donde dan información para conocer mis derechos, ahora si me animo a pedir los servicios en mi idioma. Me da confianza, no estoy pidiendo algo que no merezco. Tengo derechos.*

*Receiving information about my language rights I think has helped me as an immigrant because before I was very ashamed to ask for forms or services in Spanish, but since I have gone to talks where they give information to know my rights, I am now encouraged to request the services in my language. It gives me confidence that I am not asking for something I do not deserve. I have rights.*

2019 FGD, CARECENSF

Through the recount of a community member's experience and African Advocacy Network's intervening, the following describes the importance of community presentations and how these presentations could do more to educate people on what services are available to them and how to access them through language assistance.

“

*One thing that AAN has learned in the course of our work in monitoring language access violations and educating clients and community members about their language rights is that simply being able to speak and comprehend English is not enough. Being versed in the processes and procedures on how services operate and are accessible to community members is equally important..*

*One of AAN's long-time clients came to AAN for assistance. The client had been staying at a shelter. The client recently gained employment and needed a late pass for the duration of his stay at the shelter. The client brought a letter from his employer and a copy of his late pass. The client was concerned that since the employer[s] letter stating his employment start date and end date was written in pen instead of being typed, that the shelter wouldn't accept it. The client asked AAN to call his employer and the shelter to confirm. AAN called the employer but he wasn't available. When AAN called the shelter, the person who answered the phone was initially rude and short. The shelter staff asked for the client's name and immediately was negative and claimed that the client didn't even have a bed there let alone have a late pass. I informed the shelter staff that I had a copy of the client's late pass with the name of the staff member who authorized the late pass.*

*Once I provided information listed on the late pass, shelter staff apologized for her short temper and informed me that she dealt with another client with a similar first name who indeed did not have a bed at the shelter. I reassured her that I understood where she was coming from. Once we got past this confusion, shelter staff confirmed that AAN client did indeed have a late pass and that his documents were acceptable. This is a client who speaks fluent English and has been in the U.S. for over 20 years but he still was treated with hostility. Imagine if the client was monolingual or a LEP without AAN's support, how could this client be reassured that his shelter bed was safe and that he could keep his job?*

2018 Impact Story, AAN



## 9. Overreliance and Quality of Telephonic Interpretations

Although the incident described below occurred six years ago, it is important to note that incidences like these still happen under the LAO. While SF General Hospital had bilingual staff present, if there are reports of insufficient quantities of trained bilingual staff available to respond, the Hospital must be held accountable to secure the proper support staff. If the Language Line is unable to meet the needs of the client, the Hospital must do more to ensure the client's needs are promptly met.

“

*At the San Francisco General Hospital Billing Department, the client requested staff that spoke Spanish. The staff member explained that she was no longer receiving clients and that 90 percent of people who walked through the door were Spanish speaking. The staff member explained that she was unable to provide services to each Spanish speaking client. She requested that the client meet with another staff member and use the language line. The client was upset that she would not be able to speak directly with a staff member. The client explained that her previous experience with language line had not been very good. Staff said she empathized, but explained that she had other work to be done. The client requested the case manager to interpret for her. During the translation, the case manager not only interpreted but also had to explain the mechanics of the Billing Department. In the end, the fact that the client did not understand the mechanics of the Billing Department was the major barrier. Once the client understood this process, the client was able to better advocate for herself and understand the necessary steps to resolve the issue.*

2018 Impact Story, CARECENSF

In an emergency situation as is described below, language access must not be a hindrance to receive the help those in need require. Clients deserve to be met with respect and delivered quality language assistance upon request.

“

*Nang mapunta ako sa isang aksidente sa sasakyan, kailangan kong tumawag sa 911. Sa panahong iyon, ang aking isipan ay hindi mapakali pagkatapos ay kailangan mong idagdag ang presyon ng pagsasalita sa isang tao sa Ingles sa telepono. Kung hindi mo maipahayag*

*When I experienced a car accident, I needed to call 911. During that time my mind was racing, and then there was this added pressure of speaking in English over the phone. If you are unable to express yourself well in English, you get the impression that they get angry with you. They always*

*nang maayos ang iyong sarili sa Ingles, tila maga galit sila sa iyo. Palagi nilang ipinapalagay na ang lahat ng mga Pilipino ay marunong mag-Ingles kahit na hindi palaging ganun.*

*assume that all Filipinos know how to speak English, even though that's not always the case.*

2019 FGD, FCC

## 10. Non-City and County Services

A final positive takeaway about the effectiveness of the LAO is LEP speakers' familiarity and appreciation of the language access services it provides for City departments. Where there is room for improvement is the extension of the LAO to the private, state federal services in operation in the City. The following quote demonstrates the hardships caused by private and public partnerships. Many speakers report undue difficulty accessing non-City and County services, and the target audience of the LAO would be better served if their language rights were covered and respected in the entirety of the City.

“

*我将谈论住房经历，其中所有信息都通过政府网站获得。以前都是英文，现在是中文，但是如果您选择它，那么您需要携带的所有申请文件的所有信息都是英文，因此您必须寻找经验丰富的职员来帮助您或教您如何填写应用程序。当您进去时，您将不得不带上您自己的口译员，因为他们没有该服务，并且与所有这些公共和私人住房合作伙伴关系一起发展，他们应该为新申请人提供口译服务*

*I will speak of housing experiences where all the information is through the government website. Before it was all English and now there's Chinese, but if you select it, all the information, all the application documents you need to bring are in English, so you have to find an experienced staff person to help you or teach you how to fill in the application. When you go in, you will have to bring your own interpreter because they don't have that service and moving forward with all these public and private housing partnerships they should cover interpretation for new applicants.*

2018 FGD, CAA



# Conclusion

## ASSESSING THE EFFICACY OF THE LANGUAGE ACCESS ORDINANCE

Having developed the nation’s first comprehensive language access law in 2001 with the Equal Access to Services Ordinance,<sup>74</sup> the City and County of San Francisco set a tremendous precedent for language justice. Since then, the City has shown a dedication to continued improvement of the LAO to serve the needs of its residents as evidenced by its continuous revisions to the Ordinance. It is due to this commitment that over the years the City was able to increase departmental reporting and training, better standardize data collection methods across departments, increase language services provided, and expand the LAO’s scope to include the Filipino language. It is with this understanding though that the Ordinance must be regularly reviewed and revised to continue to meet the needs of those it serves. As the LAO currently stands, we found the following:

### Policy Design Not Aligned with Target Population

The LAO is designed for departmental compliance. Annually, the City continues to make significant progress in achieving compliance. However, the LAO’s current design neither properly addresses nor recognizes the intended target audience of LEP speakers. Due to the LAO’s design orientation being focused on the department rather than the individual, the LAO fails to provide quality and accessible language services to LEP speakers. The only opportunities LEP speakers have to voice their experiences regarding service delivery of the LAO is through filing a complaint<sup>75</sup> or attending an Immigrant Rights Commission annual public hearing.<sup>76</sup> This is insufficient as LEP speakers may be uncomfortable filing a complaint or unable to attend public hearings. CBOs are already positioned in the community and providing services to LEP speakers regarding their language access rights. LANSF is underutilized as a third-party consultant to facilitate two-way communication between language access service providers and language access service clients. Measuring departmental compliance alone is an insufficient and inequitable method to evaluate efficacy and impact of the LAO.

<sup>74</sup> S.F., Cal., Admin Code §§ 91.1.

<sup>75</sup> Ibid, 91.10.

<sup>76</sup> Ibid, 91.6.

## Insufficient Monitoring and Evaluation Mechanisms

As stated above, departmental self-reporting alone is not a sufficient mechanism to monitor departments’ compliance to the LAO. Data collected on compliance, languages, services, and staffing are dependent on too many variables to reflect accurate results if self-reported. Likewise, monitoring departmental compliance to the LAO alone is not sufficient to analyze performance. The LAO could do more to listen to the feedback from its intended target population and learn from their usability experiences as customers of language services.

### Insufficient Enforcement

There are several factors that make enforcement of the LAO difficult and may disincentivize department compliance with the LAO. First, department plans, budgets, and expenditures are kept private. While the Annual Compliance Reports do show figures for “Total Budget for Language Access” per department, there is no publicly accessible and disaggregated data on expenditures. This makes it impossible to discern how a department’s language access plan may compare to their actual spending, especially in terms of understanding investment in certain resources over the years. This transparency and accountability is necessary for the community. This level of transparency leads to the next factor, which is that the complaint process also lacks transparency. Once a complaint is submitted, “cooperat[ion] in good faith”<sup>77</sup> is no guarantee the complainant will receive notification of resolution, nor that recommendations for improvements are implemented by departments found in violation of the LAO. A best practice of this is Canada’s Office of the Commissioner of Official Languages, which has a system of explaining the complaint process, timeline, language rights, and example complaints.<sup>78</sup> Lastly, the LAO is an unfunded mandate that carries no economic weight and makes it difficult to hold departments accountable for implementation. When a department is found in violation, there is no system in place to penalize the infraction. The same departments are cited repeatedly for the same infractions, but because there is no system to hold these departments accountable, the cycle is likely to repeat at the expense of LEP community members.

### Insufficient Incorporation of Community Stakeholders

The LAO fails to incorporate community stakeholders. CBOs are most attuned to the needs of non-English speaking communities and are often tasked with interpretation and translation requests by LEP clients due to the City’s violations of the LAO. Despite this, they are not included in the annual review of departmental

<sup>77</sup> Ibid, 91.10b

<sup>78</sup> “Information on complaints,” Your Language Rights, Office of the Commissioner of Official Languages, accessed May 18, 2020, [https://www.clo-ocol.gc.ca/en/language\\_rights/filing\\_complaint](https://www.clo-ocol.gc.ca/en/language_rights/filing_complaint).

<sup>79</sup> “Meet the Council,” State of Hawai’i Office of Language Access, <https://health.hawaii.gov/ola/meet-the-council/>.

<sup>80</sup> “Reference Guide: What is the D.C. Language Access Coalition?,” Language Access Program, District of Columbia Office of Human Rights, accessed May 7, 2020, [https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/Ref%20guide\\_LA%20Coalition.pdf](https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/Ref%20guide_LA%20Coalition.pdf).

plans and are underutilized as potential third-party consultants. Best practices of this can be seen in Hawai'i's Language Access Advisory Council made up of government, academic, CBO, and LEP community member representatives that focuses on the “quality of oral and written language services provided under the law... and its understanding of the dynamics... between clients, providers, and interpreters.”<sup>79</sup> Likewise, Washington D.C. excels at this with their D.C. Language Access Coalition (DCLAC), a collective of more than 40 CBOs and civil-rights organizations. DCLAC is identified in the Language Access Act as a third-party consultant responsible for data collection, development of goals for language access services, and emerging language identification.<sup>80</sup> San Francisco could use these examples and better leverage the pre-existing community support system to strengthen the efficacy of the LAO.

Incorporate these members of society into the LAO, as a public law it is deficient in public participation and public accountability. It further marginalizes community members and is non-representative of the linguistic diversity in San Francisco.

### Insufficient Provision for Non-Threshold Languages

While the LAO promotes social mobility, it lacks in addressing the needs of the most marginalized LEP individuals of non-threshold languages by its failure to provide this target population equal protections for inclusion in its services. By neglecting to incorporate these members of society into the LAO, as a public law it is deficient in public participation and public accountability. It further marginalizes community members and is non-representative of the linguistic diversity in San Francisco.

## Recommendations

### STRENGTHEN ENFORCEMENT MECHANISMS

The current iteration of the Language Access Ordinance lacks systems of accountability and transparency to encourage departments to comply with the Ordinance. As there are no consequences for non-compliance, we see a pattern for repeat offenses that must be addressed.<sup>81</sup> Likewise, as budgets for language access across departments throughout the years have been inconsistent,<sup>82</sup> better reporting on language access expenditures must be prioritized. Our recommendations are as follows:

1.
- Conduct Independent Audit Tied to Budgetary Earmarks**
- The City of San Francisco should consider conducting an independent Citywide language access audit to evaluate the quality, progress, and efficacy of City departments covered under the LAO. The audit should inform Citywide administrative standards for enforcement and include CBOs in the language access compliance advisory body. Findings should be used by OCEIA to develop compliance plans with specific language access budgetary earmarks for all LAO-covered departments to be in full compliance with the LAO within three years of the audit.
- Consider conducting regular and independent language access audits of key City departments with the highest levels of interface with LEP populations to determine compliance and assess the quality of services. The audit should be inclusive of a community-driven assessment of the state of language access in San Francisco including LANSF Spot-Checks, qualitative interviews and surveys of CBOs and LEP recipients of services, language access providers, and departmental staff.
  - The Board of Supervisors Budget and Legislative Analyst should require departments to submit information on language access spending during the City's Budget process. This information should disaggregate language access spending down to the district-level spending for each department, with the following earmarks noted: translation of materials, signage, interpretation, bilingual staffing (and related classification), cultural and language access to quality control training. Both reporting and subsequent allocation of resources should center outcomes, i.e. ensuring that expenditures lead to actual language access by LEP communities.

<sup>81</sup>Chinese for Affirmative Action, “Language Access Spot-Check Review.”

<sup>82</sup> Chinese for Affirmative Action, “OCEIA Dashboard Data.”

## 2. Establish Uniform Administrative Standards

San Francisco should set forth uniform administrative standards for compliance with language access pertaining to quality control, cultural competency, community engagement, and linguistic diversity as a baseline for all City departments to measure LAO compliance. City agencies must be time-bound and demonstrate their budgetary commitment to language access in order to meet these standards and demonstrate compliance.

- Ways to encourage compliance with the LAO include publishing the number and type of violations by a City department, or enacting a system that includes penalties for City departments that receive LAO complaints, a negative Spot-Check, or for late or incomplete submission of Language Access Plans.
- Increase the number of bilingual public-facing staff able to fill vacancies and increase departmental linguistic capacity to comply with the LAO. City departments and agencies, including the Department of Human Resources should have long-term plans for pipeline development and recruitment.

## 3. Initiate Legislative Reform and Oversight

The LAO should include strengthened enforcement provisions such as private right of action, fines, or penalties, as well as set forth legislative mandates for compliance. Additionally, as part of ongoing monitoring and improvement to linguistically accessible services, uniform Citywide standards for evaluation reporting should be revised, and infrastructural commitments established to meet the language access needs identified through audits and legislative oversight hearings. Lastly, the LAO should be expanded to require linguistically-accessible and accurately translated City webpages in its provisions.

## INCORPORATE A HUMAN-CENTERED DESIGN APPROACH

The LAO was designed to monitor departmental compliance of providing language access services. While LEP speakers are the people who use language access services, they have essentially no opportunity to voice their satisfaction or dissatisfaction with the quality of service received. A Human-Centered Design approach would involve including community stakeholders in the design process to meet the needs of the LEP community. According to UNICEF, “HCD is a problem-solving process that begins with understanding the human factors and context surrounding a challenge. It requires working directly with users — the people who use the service or deliver the solutions — to develop new ideas that are viable and appropriate in their context. Designing for people and their everyday actions helps uncover and solve the right problems using local capacities and

minimal resources.”<sup>83</sup> The LAO should recognize, support and welcome the necessary insight from community stakeholders like LANSF and other CBOs active in the City that work with LEP communities and advocate for their language access needs. Acknowledging that the needs of the LEP community will continue to evolve, the LAO should be redesigned as an iterative policy to integrate their feedback in service delivery planning. As Professor Jeffrey T. Grabill argues, “Would policy look different if those most silent were suddenly active? Would policy look different if greater numbers of clients could participate? Probably. This is the problem of client involvement, then: how to improve or change the processes of involvement so that greater numbers and varieties of people can participate in making public policy.”<sup>84</sup> The LAO must do better to ensure that all voices are heard.

Adopting a HCD approach ensures that governments are better equipped to respond to the needs of the people who access their services. User Experience can describe how LEP clients interact with public services and the experience they have with that interaction. To evaluate how usable services are for intended clients and how easy their services are to navigate for access, this concept may be applied to brochures, forms, language service identification and response, phone calls, signage, wait times, website usability, etc. Customer Experience refers to the interactions a LEP client has with government services, in regard to their engagement experience with departmental staff in public contact positions and their overall opinion of the City department. HCD allows governments the opportunity to work with community stakeholders to hone their interface with the public, so that people may walk away from their experience with a City department positively. Putting people first, a HCD approach can connect City departments to their LEP community to ensure information about their services are more accessible, usable, useful, and most importantly, valuable.

## 1. Prioritize and Incorporate Community Stakeholdership

LANSF has been working closely with OCEIA to monitor departmental compliance to the LAO and engage City departments to deliver improved language access services to LEP and monolingual communities (e.g. working through the complaint process and developing community leadership to monitor compliance to inform public policy). Our track record demonstrates that improvements to language access are most effective when the City enters into partnership to engage community groups as stakeholders. Community groups are most attuned to the needs of non-English communities and can offer innovative and responsive solutions derived from our deep ties and strong reach with the people we serve.

- Require each City department’s Annual Compliance Plans to be publicly accessible and disaggregated to district-level service provision.
- Include community stakeholders in the annual review of the departmental plans.
- Establish a Language Access Task Force (LATF) that holds an advisory role and is equipped to hold the city accountable for providing quality language access. The LATF should include CBO representatives and directly impacted community members who can most aptly speak to language access gaps in the City.

<sup>83</sup> “Human-Centered Design: Accelerating results for every child by design.” UNICEF, (Feb, 2019): 2, <https://www.unicef.org/innovation/media/5456/file>.

<sup>84</sup> Jeffrey T. Grabill, “Shaping local HIV/AIDS services policy through activist research: The problem of client involvement,” Technical Communication Quarterly 9, no.1 (Mar, 2009): 31, <https://doi.org/10.1080/10572250009364684>.

- Strengthen the Interpreters Bank to improve San Francisco’s community-based language access work infrastructure:
  - Partner with educational institutions to provide community interpreter trainings where providers can hone their multilingual skills to better serve LEP communities, particularly in emergency situations.
  - Resource San Francisco’s language access workforce and small business pipeline by providing community interpreters with training, job readiness services, job referral, job placement, and entrepreneurial opportunities.

2.

### Non-Threshold Language Provisions

While several language communities in San Francisco do not reach the threshold to become a certified language, yet remain a constant and significant population, the City should clarify the process for identifying and supporting emerging language communities at the supervisorial district-level. To meet the needs of growing language communities, CBOs must be recognized as having the potential to be the best-positioned to provide interpretation and translation services for smaller language communities if adequately resourced and supported. Additionally, key online departmental information should be accessible for LEP residents, with every effort made to include secondary review of automated translations.

3.

### Adopt Best Practices

San Francisco’s language access overhaul should borrow best practices from City departments that are performing well, such as the Assessor Recorder and the Department of Elections, to highlight lessons learned and model language access outcomes as it relates to quality control, cultural competency, community engagement, and approach to linguistic diversity. Furthermore, San Francisco can leverage best practices from other nations, states, and municipalities such as Canada, Hawai’i, and Washington D.C. on building language access infrastructure and enforcement mechanisms respectively. Additional best practices can be found in the private sector which is utilizing technology in innovative ways to provide language access and via CBOs which have the cultural competency to serve LEP populations.

For more information regarding the San Francisco Language Access Network (LANSF) and opportunities to support ongoing efforts to ensure equitable language access in San Francisco, please contact Chinese for Affirmative Action at:

**Office Address:** 17 Walter U Lum Place, San Francisco, CA 94108 **Email:** info@caasf.org  
**Phone:** 415.274.6750 **Website:** www.caasf.org/language-access-network/

# Appendix A

## IN-PERSON SPOT-CHECK QUESTIONS

**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF CIVIC ENGAGEMENT & IMMIGRANT AFFAIRS**

Mark Farrell, Mayor  
Naomi Kelly, City Administrator  
Adrienne Pon, Executive Director

LANGUAGE ACCESS SPOT CHECKS

In-Person Checklist

ORGANIZATION:	DATE:
CITY DEPARTMENT:	TIME:
PHONE NUMBER:	LANGUAGE NEEDED:

## QUANTITATIVE QUESTIONS

1. Was there a sign posted in your language, informing you of your right to request interpretation?  
o Yes    o No    Additional comments:
2. Did you see any other signs or materials in your language?  
o Yes    o No    Additional comments:
3. If yes, what type of information was translated? (check all that apply)  
o Office Hours  
o Office Rules and Instructions (e.g. No Smoking, No Cell Phones, Please Sign In, etc.)  
o Safety Information/Emergency Evacuation Instructions  
o Application/Intake Form  
o Program Brochures or Flyers  
o Other (please describe):  
Additional comments:

4. How did the employee respond to your request when asked in your language? (check all that apply)
- ☐ He/she could speak my language or called another employee who could speak my language

☐ He/she called Language Line (a telephone interpreter)

☐ He/she gave me a written document in my language

☐ He/she asked another client to interpret

☐ He/she told me that this office could not help me

☐ Other (please describe): \_\_\_\_\_
- Additional comments:

5. How long did you have to wait to speak to a bilingual employee or interpreter?
- ☐ 0-10 minutes

☐ 10-20 minutes

☐ 20-30 minutes

☐ More than 30 minutes

☐ I never spoke with a bilingual employee or interpreter
- Additional comments:

6. Did you receive the service(s) you requested?
- ☐ Yes

☐ No
- Additional comments:

QUALITATIVE QUESTIONS

7. Please rate the quality of the language services you received.
- Consider interpretation quality as well as the clarity of the materials you were provided.

<div><input type="radio"/> 1</div>	<div><input type="radio"/> 2</div>	<div><input type="radio"/> 3</div>	<div><input type="radio"/> 4</div>	<div><input type="radio"/> 5</div>
<div>Very Negative</div> <div>(Example: Office did not have documents in my language.)</div>	<div>Negative</div>	<div>Fair / Neutral</div>	<div>Positive</div>	<div>Very Positive</div> <div>(Example: Office provided well-translated documents, signs, and effective interpretation)</div>

Additional comments (Were the documents well-translated? Was the interpretation process smooth and effective? What could have been done better?):

8. Please rate the quality of the language services you received.
- Consider whether employee respected your confidentiality needs and provided culturally competent services)

<div><input type="radio"/> 1</div>	<div><input type="radio"/> 2</div>	<div><input type="radio"/> 3</div>	<div><input type="radio"/> 4</div>	<div><input type="radio"/> 5</div>
<div>Very Negative</div> <div>(Example: Employees did not provide requested service)</div>	<div>Negative</div>	<div>Fair / Neutral</div>	<div>Positive</div>	<div>Very Positive</div> <div>(Example: Employees were helpful and attempted to resolve my issue)</div>

Additional comments (Were the employees helpful? Did you receive the service you requested? What went well? What could have been done better?):

FILING A COMPLAINT (OPTIONAL):

San Francisco’s Language Access Ordinance (LAO) requires all City Departments that provide public services to inform all Limited-English proficient (LEP) persons of their right to request interpretation or translation services. If these services are not provided, they have a right to file a complaint. This complaint provides OCEIA with the information needed to help correct the problem and ensure that future clients do not experience the same problems.

9. If you had a problem or poor experience, would you like to file a complaint?
- ☐ Yes

☐ No

Additional comments:

If yes, please provide a description of your experience. Include details such as the date of the instance, the name or position of people involved, the type of service/information you were seeking, and your desired outcome/solution for the problem you experienced.

Additional comments:

Appendix B

TELEPHONE SPOT-CHECK QUESTIONS

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF CIVIC ENGAGEMENT & IMMIGRANT AFFAIRS

Mark Farrell, Mayor

Naomi Kelly, City Administrator

Adrienne Pon, Executive Director

LANGUAGE ACCESS SPOT CHECKS

In-Person Checklist

ORGANIZATION:		DATE:	
CITY DEPARTMENT:		TIME:	
PHONE NUMBER:		LANGUAGE NEEDED:	



QUANTITATIVE QUESTIONS

1.

What was the first thing you experienced when calling? (select all that apply)

o

There is a separate phone number for non-English speakers.

o

There are automatic messages in different languages.

o

There is an automated message with a prompt/instruction to get a service in \_\_\_ language.

o

There is an automatic message but in English only.

o

Someone answered on the other line (not automatically).

o

Other (please describe):\_\_\_\_\_

Additional comments:
2.

If you talked to someone, how did they respond to your request when you spoke in \_\_? (select all that apply)

o

They spoke \_\_\_\_.

o

They gave the phone to another \_\_-speaking employee.

o

They called the Language Line (a telephone interpreter).

o

I was told I could not be helped and they hung up the phone.

o

Other (please describe):\_\_\_\_\_

Additional comments:
3.

How long did you wait before talking to a bilingual employee in \_\_\_ or an interpreter?

o

0-10 minutes

o

10-20 minutes

o

20-30 minutes

o

Over 30 minutes

o

I did not speak to a bilingual employee or interpreter.

Additional comments:
4.

Did you receive the service(s) you sought?

o

Yes

o

No

Additional comments:

QUALITATIVE QUESTIONS

5.

Please rate the quality of the language services you received.

Consider the efficiency of interpretation as well as the clarity of the information.

O 1	O 2	O 3	O 4	O 5
Very Negative  (Example: Office did not have documents in my language.)	Negative	Fair / Neutral	Positive	Very Positive  (Example: Office provided well-translated documents, signs, and effective interpretation)

Additional comments (Were the documents well-translated? Was the interpretation process smooth and effective? What could have been done better?):
6.

Please rate your experience.

Consider whether the employee respected your confidentiality needs and provided culturally competent service.

O 1	O 2	O 3	O 4	O 5
Very Negative  (Example: Employees did not provide requested service)	Negative	Fair / Neutral	Positive	Very Positive  (Example: Employees were helpful and attempted to resolve my issue)

Additional comments (Were the employees helpful? Did you receive the service you requested? What went well? What could have been done better?):

FILING A COMPLAINT (OPTIONAL):

The San Francisco Language Access Ordinance (LAO) requires all City Departments providing public services to inform all Limited-English proficient (LEP) speakers of their right to request interpretation or translation services. They have the right to file a complaint if they are not provided with service. These complaints will provide the necessary information to OCEIA so that they can help correct the problem and ensure that future clients do not experience it again.

7.

If you had a problem or poor experience, would you like to file a complaint?

o

Yes

o

No

Additional comments:

If yes, please provide a description of your experience. Include details such as the date of the instance, the name or position of people involved, the type of service/information you were seeking, and your desired outcome/solution for the problem you experienced.

Additional comments:

# Appendix C

## COMMUNITY BASED ORGANIZATION SURVEY QUESTIONS

### Language Access Network (LAN) Community Partner Questionnaire

The purpose of this questionnaire is to help us understand how community based organizations have interacted with the Language Access Ordinance (LAO) through direct client services and advocacy. Your response will be supplemental to community members’ Impact Stories and used in the upcoming community assessment. If you have any questions, please contact Annette Wong and Rita Ewing.

Please provide a minimum response of one paragraph for each of the following questions. Thank you for completing this survey.

1. What language group does your organization primarily serve?
2. Please describe your organization and how language access is incorporated in your work, such as service connection, accompaniment, and/or advocacy.
3. What city services do your community members most frequently utilize, and what are their typical experiences with requesting language access at the city level?
4. How can the city and community-based partners improve our current approach to language access?
5. Please describe any challenges you’ve experienced that have made it difficult to provide services and/or advocacy to achieve language justice.
6. Do you have any additional comments?

# Appendix D

## FOCUS GROUP DISCUSSION QUESTIONS

### LAN Focus Group Facilitator’s Guide

#### THEME 1: Quality Control of Translation and/or Interpretation

1. Can you speak about a time you ever received poor or incorrect translation and/or interpretation?  
*[Facilitator should distinguish the difference between translation and interpretation.]*

#### THEME 2: Cultural Responsiveness in Providing Services

2. Can you speak about a time you ever received translation services that were insensitive to language barriers?  
*For example, the translation was rushed, no time for interpretation, language used was too formal, or you felt disrespected.*

#### THEME 3: Addressing the Needs of Communities that Speak Non-Certified Languages

3. Do you speak any languages besides Spanish, Chinese, Filipino, or English?  
*If yes, can you speak of a time you were unable to receive services because of language access issues?*

#### THEME 4: Improving Accountability Process When LAO Is Violated

4. Can you speak of a time a City department did not properly respond to your complaint?

#### THEME 5: Long Wait Times

5. Can you speak of an experience where you had to wait an unreasonable amount of time to receive language services?

THEME 6: Discomfort Seeking Services Due to Language Barrier

- 6. Can you speak of a time when you felt uncomfortable seeking language access services?

THEME 7: Miscommunication on Services Provided by Organizations

- 7. Can you speak of a time when a City department referred you a service that was not what you requested?

THEME 8: Impact of Community Presentations

- 8. Have community outreach initiatives on language access been helpful for you?  
*If yes, why? If not, why?*

THEME 9: Overreliance and Quality of Telephonic Interpretations

- 9A. Have you had challenges with telephonic interpretation?
- 9B. Can you speak about a time where you received telephonic interpretation services despite there being bilingual staff available?  
*For example, if you were getting interpretation from a bilingual staff, but they are not fluent in the language so they had to call for telephonic interpretation.*

THEME 10: Non-county services

- 10. Can you speak about a time where you had difficulty receiving public services from a non-City and County department because of language barriers?  
  
*For example:*  
  
*Public and private partnerships in housing, where private developers funded by a city department are running the process for Below Market Rate Housing applications using English only applications.*  
  
*Difficulty accessing a City department that is located inside a private building, whose guard or check-in staff are only English-speaking.*

Appendix E

LIST OF CITY AND COUNTY DEPARTMENTS (2021)<sup>85</sup>

- |  |   |  |
|--|---|--|
| 1. 311                                 | 19. City Attorney                               | 35. Emergency Medical Services Agency            |
| 2. Adult Probation                     | 20. Civil Grand Jury                            | 36. Entertainment Commission                     |
| 3. Airport                             | 21. Civil Services Commission                   | 37. Environment Department                       |
| 4. Airport Commission                  | 22. Committee on Information Technology         | 38. Environmental Health                         |
| 5. Animal Care and Control             | 23. Community Challenge Grant Program           | 39. Ethics Commission                            |
| 6. Appeals Board of (Permit Appeals)   | 24. Controller’s Office                         | 40. Film Commission                              |
| 7. Arts Commission                     | 25. County Clerk                                | 41. Fine Arts Museum                             |
| 8. Asian Art Museum                    | 26. Department of Building Inspection           | 42. Fire Department                              |
| 9. Assessment Appeals Board            | 27. Department of Disability and Aging Services | 43. Gender Health SF                             |
| 10. Assessor-Recorder                  | 28. Department of Elections                     | 44. General Services Agency - City Administrator |
| 11. Behavioral Health Services         | 29. Department of Emergency Management          | 45. Grants for the Arts                          |
| 12. Board of Appeals                   | 30. Department of Police Accountability         | 46. Healthy San Francisco                        |
| 13. Board of Supervisors               | 31. Department of Public Health                 | 47. Historic Preservation Commission             |
| 14. California Academy of Sciences     | 32. Department of Technology                    | 48. HIV Health Services                          |
| 15. Child Support Services             | 33. Disease Prevention and Control              | 49. Homelessness and Supportive Housing          |
| 16. Children and Families Commission   | 34. District Attorney                           | 50. Human Resources                              |
| 17. Children, Youth and Their Families |   | 51. Human Rights Commission                      |
| 18. City Administrator                 |   | 52. Human Services Agency                        |

<sup>85</sup>“Departments,” SF.Gov, accessed Apr 4, 2021, <https://sf.gov/departments>.

53. Immigrant Rights Commission
54. Jury Commissioner (Jury Duty)
55. Juvenile Probation Commission
56. Juvenile Probation Department
57. Law Library
58. Maternal, Child, and Adolescent Health
59. Mayor's Office of Housing and Community Development
60. Mayor's Office on Disability
61. Municipal Transportation Agency
62. Office of Cannabis
63. Office of Civic Engagement and Immigrant Affairs
64. Office of Community Investment and Infrastructure
65. Office of Contract Administration
66. Office of Economic and Workforce Development
67. Office of Financial Empowerment
68. Office of Short Term Rentals
69. Office of Small Business
70. Office of the Chief Medical Examiner
71. Office of the Mayor
72. Office of Transgender Initiatives
73. Police Department
74. Port
75. Public Defender
76. Public Utilities Commission
77. Public Works
78. Recreation and Park Commission
79. Recreation and Park Department
80. Rent Board
81. S.F. Unified School District
82. San Francisco City Hall Events Office
83. San Francisco Employees Retirement System (SFERS)
84. San Francisco Health Service System
85. SF City Clinic
86. SF City Jobs
87. SF Health Network
88. SF Library
89. SF Planning
90. SFGovTV - Cable TV (Government Access)
91. Sheriff
92. Status of Women
93. Superior Court
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95. Treasurer and Tax Collector
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