Language Access Plan



Department of Rehabilitation

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**Table of Contents**

[**Introduction** 4](#_Toc167981312)

[**Department Programs and Services** 4](#_Toc167981313)

[**Language Access Requirements** 4](#_Toc167981314)

[**Providing Notice to People with LEP and Identifying Language Preference** 5](#_Toc167981315)

[**Language Services** 6](#_Toc167981316)

[**Training Staff** 8](#_Toc167981317)

[Training Plan 8](#_Toc167981318)

[**Monitoring and Updating LAP** 9](#_Toc167981319)

[**Complaint Process** 10](#_Toc167981320)

[**Document List** 11](#_Toc167981321)

## **Introduction**

As part of ensuring meaningful access to programs and services, the California Health and Human Services Agency (CalHHS) adopted a Language Access Policy on May 22, 2023, which requires each CalHHS department or office’s programs to develop a Language Access Plan. The goal of this work is to ensure that CalHHS and its departments and offices provide meaningful access to information, programs, benefits, and services to people with limited English proficiency (LEP) and ensure that language is not a barrier to accessing vital health and social services.

This document is Department of Rehabilitation’s (DOR) Language Access Plan. In developing this Plan, we have reviewed our programs and services for the public, the ways we communicate with members of the public and the people we serve, and how we currently provide information and services in languages other than English.

## **Department Programs and Services**

The Department of Rehabilitation (DOR) works in partnership with consumers and other stakeholders to provide services and advocacy resulting in employment, independent living, and equality for individuals with disabilities.

The programs and services we provide to the public are the largest vocational rehabilitation and independent living programs in the country. Vocational rehabilitation services are designed to help job seekers with disabilities obtain competitive employment in integrated work settings. Independent living services are provided by 28 nonprofit centers throughout the state and may include peer support, skill development, systems advocacy, referrals, assistive technology services, transition services, housing assistance, and personal assistance services.

This report addresses the language access plan for DOR’s employment services and general department operations.

## **Language Access Requirements**

In planning for how to provide meaningful language access moving forward, **DOR OCR** reviewed the following four factors for each of our programs:

1. Number or proportion of LEP persons eligible to be served or likely to be encountered by the program or service;

2. Frequency with which LEP individuals come into contact with the program;

3. Nature and importance of the program, activity, or service; and

4. Resources available to our department and costs of language services.

We have also considered the specific requirements in the CalHHS Language Access Policy and any other program-specific laws or requirements.

Department-specific laws or requirements:

Written Translation

* 22 U.S.C. § 722(b)(3)(D)
* 22 U.S.C. § 721 (7)(C)
* 34 CFR § 361.45
* 34 CFR § 361.51
* 34 CFR § 361.18
* 34 CFR § 361.38
* 34 CFR § 371.21
* 34 CFR § 371.44
* WIC 19013.5

Oral interpretation

* 22 U.S.C. § 721
* 34 CFR § 361.18
* WIC 19013.5

Other forms of language assistance

* 34 CFR § 361.5
* WIC 19013.5

Please note that this plan does not address the DOR OCR’s process for conducting or reporting on the biennial language survey required under the Dymally-Alatorre Bilingual Services Act.

## **Providing Notice to People with LEP and Identifying Language Preference**

This section includes how the DOR will notify the public about available language access services. Below is a check list of tools the DOR may use to notify the public of these services.

[x]  “I Speak” cards or posters at public reception desks

[x]  Translated taglines on English language forms

[x]  Translated department website

* In process due to department name change

[x]  Translated vital documents to include outreach materials

* In process due to department name change

The DOR’s online application offers a drop-down box consisting of a list of languages that identify an applicant’s need for a language other than English.

Also, the DOR's practice is to send bilingual certified staff to local area community outreach centers with translated handbooks, brochures, and other service-related documents.

## **Language Services**

This section includes the actions the DOR will take to provide information and services in languages other than English.

Once a program participant identifies their language needs during the application process, the application is then filtered to a manager and assigned to a bilingual certified counselor who is fluent in the language identified on the application.

Direct In-Language Communication

* The DOR has approximately 180 bilingual certified employees who communicate in languages other than English with LEP individuals. This includes employees who greet the public and Senior Vocational Rehabilitation Counselor, Qualified Rehabilitation Providers (SVRC-QRPs) that provide counseling services.
* Each bilingual position is approved by the DOR OCR based on the language spoken by program participants and the community need. OCR’s approvals are based on the standards set forth by CalHR’s bilingual services process.

Only certified bilingual staff are permitted to communicate with the public in languages other than English. The DOR utilizes the Language Testing Institute (LTI) to certify bilingual staff. In accordance with CalHR’ s testing standards, to provide bilingual services, an employee must score in the testing language at least equivalent to "2" in Listening and Speaking on the ILR scale. To maintain qualification to provide bilingual services to the public, all employees scoring below the equivalent of ILR scores of "3" in speaking and listening must have on file test scores not older than five (5) years. These qualifications align with the[**CalHR Human Resources Manual, Section 1003 – “Language Proficiency Scoring - Bilingual Position Qualification**](https://hrmanual.calhr.ca.gov/Home/ManualItem/1/1003#:~:text=The%20State%20of%20California%20requires%20that%20each%20of,with%20limited%20English%20proficiency%20served%20by%20that%20office.)**.”**

Interpretation

For ASL interpretation, the DOR employs internal Support Services Assistant – Interpreters (SSA-Is) who have successfully met the SSA-I proficiency requirements that align with CalHR’s proficiency standards where certifications are not mandatory. To meet proficiency requirements, SSA-Is must meet the minimum qualifications and pass the SSA-I proficiency examination. The proficiency examination entails completing a qualifications appraisal interview, which consists of demonstrating the ability to effectively facilitate and interpret voiced and signed communication with sensitivity between Deaf and hard of hearing (D/HH) and hearing individuals. The DOR is the sole department authorized to conduct the Statewide SSA-I Proficiency examination, granting eligibility for inclusion on the eligible list without providing certifications.

To access ASL interpretation, the DOR utilizes SSA-Is either in person or via Video Remote Interpreting On-Demand (VRIOD) services, which are tailored to deliver instant access to SSA-Is for DOR staff to actively participate in meetings and training sessions. The following are procedures for DOR employees to access VRIOD:

Step 1: Add the DOR VRIOD calendar in Outlook.

Step 2: Check the calendar to see the assigned interpreter(s).

Step 3: Send a message to the interpreter via MS Teams to request service.

    (Green: available to assist; Yellow: on break, check again in a few minutes;

    Red: busy assisting another staff, check again later)

Step 4: If an interpreter is available, provide brief meeting details if possible.

Step 5: Connect with the interpreter via Microsoft Teams video or send a meeting link.

DOR is currently in the process of updating its website to include ASL video clips that interpret essential public website content regarding DOR services.

To serve as a sign language interpreter through an external contracted agency, a contractor must possess a current and valid certification from the Registry of Interpreters for the Deaf (RID). Valid certifications include National Interpreter Certification or a previously issued certification that has not expired such as the Certificate of Interpretation (CI/IC), Certificate of Transliteration (CT/TC), and the National Association of the Deaf (NAD) at the Level of Generalist (III); Advanced (Level IV); and Master (Level V). The full list of previous certifications can be found in the [Certification Archives](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Frid.org%2Fcertification%2F&data=05%7C02%7CShannon.Coleman%40dor.ca.gov%7C69ceda0cbab049dfde0408dc790407f1%7C19ed70549d9743c792b16781b6b95b68%7C0%7C0%7C638518305428234849%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=F9VSEf9tqULXRUbDbpfWuvR8KyDTica2n5NSAlg%2FPx0%3D&reserved=0) located on the bottom of the RID page.  DOR ASL Interpreting contracts lists all valid certifications that are acceptable.

DOR employees who are not certified bilingual use a contract telephonic interpreter to assist in communicating with LEP individuals.

Per [CalHR Human Resources Manual, Section 1003 – Proficiency Testing Limitations](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fhrmanual.calhr.ca.gov%2FHome%2FManualItem%2F1%2F1003%23%3A~%3Atext%3DThe%2520State%2520of%2520California%2520requires%2520that%2520each%2520of%2Cwith%2520limited%2520English%2520proficiency%2520served%2520by%2520that%2520office.&data=05%7C02%7CShannon.Coleman%40dor.ca.gov%7C365ba7c67d6f45ac9b3d08dc75dddb65%7C19ed70549d9743c792b16781b6b95b68%7C0%7C0%7C638514842930987830%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=FVCttNEmW2DFXNP5xvJE6xVu0yrWKNtaJSE0F0s9iIw%3D&reserved=0), “Language proficiency alone (fluency, reading, and writing testing) does not qualify an employee to translate written materials or to serve as a formal interpreter.”

Translation

The DOR’s definition of vital documents are materials that are mandatory to provide services to the public.

DOR maintains an external contract with a vendor that provides written translation services from English to more than 200 languages. Written translation services are used for various translation needs of vital documents. (Please refer to the document list below.)

Per the CalHHS policy, DOR is committed to translating its vital documents into the top five threshold languages spoken in California according to the Census (Spanish, Chinese, Vietnamese, Korean, and Tagalog), as well as the languages most commonly spoken by DOR program participants. The languages currently most commonly spoken among DOR program participants are Spanish, ASL, Vietnamese, Cantonese/Yue (written Chinese), and Cambodian/Khmer.

DOR essential website content includes, but is not limited, to the following: webpages with information about DOR’s services and programs; DOR’s online application for vocational rehabilitation services; ASL videos advising of the availability of free oral interpretation services; and non-English language taglines in the threshold languages advising individuals of the availability of language assistance.

DOR is transitioning its name to Disability Works California. Therefore, all outreach materials, including essential website content and taglines, are currently being revised as part of the Department’s renaming efforts.

To request written translation services, DOR employees can send Central Office requests to DOR’S Bilingual Services Coordinator or Field Office requests to the Program Policy Section. The analyst will then provide the materials to the vendor to translate.

Per[**CalHR Human Resources Manual, Section 1003 – Proficiency Testing Limitations**](https://hrmanual.calhr.ca.gov/Home/ManualItem/1/1003#:~:text=The%20State%20of%20California%20requires%20that%20each%20of,with%20limited%20English%20proficiency%20served%20by%20that%20office.)**,** “Language proficiency alone (fluency, reading, and writing testing) does not qualify an employee to translate written materials or to serve as a formal interpreter.”

## **Training Staff**

This section includes information on how the DOR’s staff are trained to provide language access services to the public.

### Training Plan

Public Facing Employees

Language access training will be provided to all current public-facing employees no later than December 1, 2024, and at least annually thereafter. New staff hired into public contact positions will receive language access training within their first 30 days of employment.

Training topics include CalHHS language access policy; identifying an individual’s language preference; DOR’s policy, processes, and procedures for providing language assistance services; and how to work effectively with interpreters (in person, telephone, and video on demand to include ASL).

Non-Public Facing Employees

This section describes the DOR OCR plan for training employees who are not in public contact positions.

* Updating Executive Leadership on policy changes
* Updating employees on procedures for using the telephonic interpreter contract when contacted by a person with LEP.
* Translation of written documents and materials.
* Updating DOR’s Information Technology Services Division on website translation requirements.

## **Monitoring and Updating LAP**

This section describes how the DOR OCR will monitor language access services and update this Language Access Plan at least every two years. This information will ensure that the DORis compliant with the CalHHS Language Access Policy and address processes and procedures being used to deliver meaningful language access to members of the public and recipients of services.

DOR’s OCR will create a monitoring program or process to ensure implementation of details included in the Language Access Plan. This process will entail:

[x]  Identification of training needs

[x]  Assessing training effectiveness

[x]  Assessing employee awareness of language access policies and procedures

[x]  Assessing effectiveness of interpretation and translation services

[x]  Check-in with community partners and stakeholders

[x]  Tracking costs of providing language access services

[x]  Data collection

* + Identifying amount and type of language services (interpreter services, sight translations) available to consumers by program

Every two years, CalHHS will generate and update the list of minimum threshold languages for the translation of vital documents and essential web content. Consistent with CalHHS Policy, the DOR’s Language Access Plan will be reviewed, revised, if necessary, by the DOR’s OCR, and resubmitted to CalHHS every two years. Revisions will address any changes in the Title VI four-factor analysis; whether existing policies and procedures are meeting the needs of LEP individuals; whether staff is sufficiently trained; and whether identified resources for assistance are up-to-date, available, accessible, and viable.

Reevaluations will incorporate, as appropriate, new programs, new legal requirements, additional vital documents, and community input on the Language Access Plan.

## **Complaint Process**

Members of the public or recipients of services should direct complaints regarding language access to:

DOR’s Office of Civil Rights

(916) 558-5850

OCR@dor.ca.gov

## **Document List**

The following is a list of DOR’s vital documents. Included are the five languages required by the CalHHS Language Access Policy. Included are any others identified as threshold languages pursuant to analyses under Title VI, Dymally-Alatorre and any program-specific language access laws.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Form** **Number** | **Document name** | **Spanish** | **Chinese** **(Traditional)** | **Chinese** **(Simplified)** | **Tagalog** | **Vietnamese** | **Korean** |  **Cambodian/Khmer** |
| DR68D | Wait List Contact | ✓ | ✓ | ✓ |

|  |
| --- |
| ✓ |

 | ✓ | ✓ | In progress |
| DR68H | 60 Day Wait List | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR68 | Order of Selection Ltr | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR107 | Request For Mediation | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR108 | Authorized Representative | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR203 | Student Services Plan Request | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR205 | Student Services Plan | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR222 | VR Services Application | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR222A | Supplemental Personal Information | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR222B | Employment Record | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR233 | Financial Statement | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR247 | OJT Agreement | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR254 | Deposit Agree | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR260 | Consent to Release and Obtain Information | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR701 | Child Care Provider Choice | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR996 | Schedule A Certification | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR1000 | Rights & Remedies | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR212 | Notice of Eligibility | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR213 | TWE Trial Work Experiences Plan | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR214A | Plan Development Extension | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR215 | Individualized Plan for Employment | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR215A | Plan Amendment | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR216 | Plan Review | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR217 | Plan Services Interrupted | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR220 | Referral to Orientation | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR229A | Closure Report Employed | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR229B | Closure Report | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR300 | Federal Follow up Notice | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR901 | Are You Employed | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR903 | Call Me (General) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR904 | Call Me (Med Voc Info) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR905 | Closure Contact | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR908 | Letter - No Show | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR914 | Notice of Referral | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR915 | Financial Aid Reminder 1 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |
| DR916 | Financial Aid Reminder 2 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | In progress |