

LANGUAGE ACCESS PLAN FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY

State Agency: Office of Parks, Recreation and Historic Preservation

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This document is our agency’s **Language Access Plan**.

A **Language Access Plan** explains how we provide services to people who have limited English proficiency.

This **Language Access Plan** includes information about:






	<p>The population with Limited English Proficiency (“LEP”) in our service area.</p>
	<p>How we notify the public about language access services.</p>
	<p>Our resources and methods for providing language access services.</p>
	<p>How we train our staff to provide language access services to the public.</p>
	<p>How we monitor language access services and respond to complaints.</p>



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PART 1 – Our Agency’s Services



We prepared this Language Access Plan (“Plan”) to comply with New York State Executive Law Section 202-a, which establishes New York’s Statewide Language Access Policy. This Plan explains how we make sure that people with Limited English Proficiency (“LEP”) have meaningful access to agency services, programs and activities.

In this Plan, individuals with LEP are understood as people who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.

Our agency’s services to the public include:

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) is responsible for the operation and stewardship of New York State parks and historic sites.

Administratively, under the Parks, Recreation and Historic Preservation Law, New York State is divided into 12 separate park regions: Allegany, Saratoga-Capital District, Central, Finger Lakes, Genesee, Long Island, New York City, Niagara, Palisades, Taconic, Thousand Islands and the Adirondacks/Catskills. OPRHP has jurisdiction over 11 park regions; public lands in the separate Adirondack Park and the Catskills Park are managed by the Department of Environmental Conservation.

Collectively through its regions, OPRHP is responsible for managing a vast array of public services within its 250 facilities that encompass over 360,000 acres. New York has one of the most developed state park systems in the nation and OPRHP operates an extensive network of public recreational facilities including 5,000 buildings, 28 golf courses, 24 swimming pools and spray pads, 55 swimming beaches, 21 marinas, 75 boat launch sites, 25 nature centers, 68 campgrounds featuring; 8,179 campsites, 825 cabins, 136 full service cottages, and 18 yurts; more than 2,000 miles of trails, 106 dams, 604 bridges, hundreds of miles of roads, and dozens of historic structures listed on the State and National Registers of Historic Places.

New York’s parks and historic sites provided affordable outdoor recreation and cultural opportunities for a record 84 million patrons in 2023. Our patrons engage in a myriad of recreational activities at our facilities including camping, hiking, swimming, picnicking, programs for seniors, youths and the physically challenged, league or other sporting programs, skating, dance, music, other cultural programs and events, festivals and shows. OPRHP may provide programs and special events directly for our patrons, but for the most part, the agency issues permits for recreational activities and large group gatherings like picnics or weddings at our facilities. If OPRHP is providing the activity/service directly to the public, it is said to be



“sponsoring” the event. Otherwise, it is “permitting” another entity to host the event or activity at its facility by reserving a particular area of a facility for exclusive use.

In operating its facilities, OPRHP provides security through the New York State Park Police, park rangers, security guards and lifeguards. OPRHP has a relationship with our local and State Police forces to assist with security as needed. At some larger facilities, staff provides emergency services for the public.

OPRHP’s headquarters are located in Albany, New York for administrative coordination of policy and program development. Generally, all direct patron programs and recreational services are administered locally at individual facilities within the eleven different park regions. Although each region has a central office where some permits are issued, most permits are obtained at individual park offices.

Many of the services at our facilities, such as food services and special attractions are provided to the public by private concessions/contractors under long-term, often competitively bid contracts. Examples of concessionaire-run venues include the Jones Beach Theatre, food and beverage services, and canoe/kayak rentals.

OPRHP also administers a program of boating safety education where it issues boating safety certificates to participants. The program is primarily provided through private instructors. OPRHP is also responsible for the development, maintenance and oversight of the statewide snowmobile program, which includes safety education, proper snowmobile operation, and encouragement of snowmobile as a family activity on the over 10,500 miles in the Statewide Snowmobile Trail System.

OPRHP also offers special admission programs, including: (i) the “Access Pass” program designed to implement section 13.19 of the Parks, Recreation and Historic Preservation Law, which requires the State to provide its services to persons with certain disabilities (defined by statute) without the payment of the ordinary and customary fees; (ii) the “Empire Pass” that provides unlimited vehicle entry to most NYS parks’ facilities for a fixed annual price or free; (iii) the Empire Pass/Patriot Plan that provides free park access to certain active duty members of the New York State Militia or any branch of the New York State National Guard or military reserves; and (iv) the “Golden Park” program that provides New York State residents over the age of 62 free vehicle use entry during weekdays.

New York's State Historic Preservation Office (SHPO) helps communities identify, evaluate, preserve, and revitalize their historic, archeological, and cultural resources. The SHPO administers programs authorized by both the National Historic Preservation Act of 1966 and the New York State Historic Preservation Act of 1980. These programs, including the Statewide



Historic Resources Survey, the New York State and National Registers of Historic Places, the federal historic rehabilitation tax credit, the Certified Local Government program, the state historic preservation grants program, state and federal environmental review, and a wide range of technical assistance, are provided through a network of teams assigned to territories across the state.

PART 2 – The Population with Limited English Proficiency in Our Service Area



The Statewide Language Access Policy requires state agencies to translate vital agency documents into the top 12 most commonly spoken non-English language among New Yorkers with limited English proficiency. Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top 12 languages most commonly spoken by individuals with LEP in New York State.

The top 12 languages spoken by individuals with LEP in New York State are:

#	Language	Estimated Number of Speakers with LEP (ACS 2018-2022)
1	Spanish	1,198,032
2	Chinese	377,524
3	Russian	124,422
4	Yiddish	90,199
5	Bangla	74,342
6	Haitian Creole	51,947
7	Korean	48,581
8	Arabic	42,907
9	Italian	41,155
10	French	34,304
11	Polish	33,122
12	Urdu	29,983

New York’s language access law also provides agencies, in consultation with the Office of Language Access, the option to add up to four more languages of translation beyond the top 12. The assessment about whether to include additional languages must be based on factors that are identified in the language access law. Our agency, in consultation with the Office of Language Access, has made the following determination with regard to the addition of languages beyond the top 12:



At this time, OPRHP hasn't identified the need to add additional languages but will continue to monitor services, requests, and relevant information to reassess if needed.

Our agency tracks encounters of individuals with LEP in the following ways:

Our facilities are located throughout the entirety of New York State without defined entry/exit points at some parks. As a tourist and recreational destination, OPRHP's administered State parks and historic sites are visited by people from all over the world. Therefore, it is difficult to accurately determine the number of individuals with LEP who visit our parks. However, the Agency undertook a qualitative survey and obtained regional estimations of the languages most frequently spoken by patrons at our facilities. Spanish was encountered most frequently overall, particularly in the Long Island, New York City, Palisades and Taconic regions. OPRHP also utilizes contractor reports to track encounters with of individuals with LEP, whether over the phone, through written communication, or in-person.



PART 3 – Public Outreach About the Availability of Language Access Services

Our agency informs individuals with LEP about their right to free language assistance services in the following ways, using at least the top 12 languages shown in Part 2 of this Plan:

Individuals with LEP are directly informed by our staff

In which ways? There are language identification posters posted in the common area of most high traffic park offices and visitor centers informing patrons with LEP of free interpretation services. All OPRHP staff receives annual training on language access including how to access an interpreter by using the contractor's interpreting service.

Signs posted about language assistance services

In areas operated by the agency and open to the public

Other (describe)

Information is published on our agency's website in at least the top 12 languages spoken by individuals with LEP in New York State

Outreach and presentations at schools, faith-based groups, and other community organizations

What are the populations with LEP targeted? The top 12 languages

Local, non-English language media directed at individuals with LEP in their languages



What are the populations with LEP targeted? Spanish media outlets are included in our press releases distribution list. When possible, larger announcements are translated and distributed.

- Social media posts directed at individuals with LEP in their languages

What are the populations with LEP targeted?

- Telephonic voice menu providing information in non-English languages

In which languages?

- Other (describe)



PART 4 – Provision of Language Access Services

A. Determining the Need for Services

During *in person* encounters, our agency uses the following tools to determine whether an individual has LEP, and what their primary language is:

- “I Speak” posters or visual aids that provide information about free interpreting services in multiple languages
- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying the language of individuals with LEP
- Other (describe) If an OPRHP staff person encounters a patron with LEP outdoors or at a location that has no office with a telephone, the employee, when possible, uses a cellular phone to access the contractor’s interpreters. If the situation appears to be an emergency, the employee contacts 9-1-1 immediately for assistance.

On *telephone calls*, our agency uses the following tools to find out if an individual has LEP, and what their primary language is:

- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying the language of individuals with LEP
- Telephonic interpreting service



Other (describe)

Our agency’s protocols for assessing whether an individual needs *oral interpreting services* in different service situations is as follows:

During office in-person encounters: All employees who have direct contact with patrons have access to “I Speak” cards. If the patron speaks a language other than English, then the employee uses the “I Speak” card to identify the language spoken and use the telephonic interpreting services.

At initial contact in the field: We use the same protocol as for in-person encounters. All employees who have direct contact with patrons have access to “I Speak” cards. If the patron speaks a language other than English, then the employee uses the “I Speak” card to identify the language spoken and use the telephonic interpreting services.

When speaking on the telephone: The need for oral interpreting services is assumed by employees if the caller does not appear to communicate in English or the caller is requesting interpreting services. To make sure the communication between the employee and caller is completed to provide the service requested, telephonic interpreting services are used.

For pre-planned appointments of individuals with LEP: These occurrences are rare, but for those few instances, we use the same protocol as for telephone encounters. The need for oral interpreting services is assumed by employees if the caller does not appear to communicate in English. When possible, an on-site interpreter can be arranged if given an appropriate amount of time to arrange.

Other (describe):

Our agency records and maintains documentation of language assistance needs of individuals with LEP as follows:

B. Oral Interpreting Services

Our agency has made the following resources available for oral interpreting requests:

Bilingual staff members who work directly with individuals with LEP

Number of staff and languages spoken:

Bilingual staff members who provide oral interpreting services on a volunteer basis

Number of staff and languages spoken:

Telephonic interpreting service



Number of contractors and languages spoken: One primary telephonic interpreting contractor that’s under the NYS Office of General Services (OGS) Statewide Language Services Contract and covers over 240 languages and dialects, as well as potentially any contractor under the same contract.

- Contracts or other arrangements with school and community organizations

Number of contracts or other arrangements and languages spoken:

- Other (Describe)

Our agency protocols for informing individuals with LEP that free interpreting services will be provided and that they do not need to provide their own interpreters is as follows:

During office in-person encounters: OPRHP employees inform LEP visitors that free interpreting services are available. Staff directs LEP patrons to the language identification posters that include this information. When encountering patrons with LEP in settings that do not have these posters, OPRHP employees employ the “I Speak” cards or a pocket version of the poster. Telephonic interpreting services are then used.

At initial contact in the field: We use the same protocol as for in-person encounters. OPRHP employees direct LEP visitors to displayed language identification posters that include this information. When encountering patrons with LEP in settings that do not have these posters, OPRHP employees employ the “I Speak” cards or a pocket version of the poster.

When speaking on the telephone: If the caller appears unable to communicate in English, the contractor’s interpreting services are used and patron with LEP is informed of free interpretation services through the interpreter.

- For pre-planned appointments of individuals with LEP:**

- Other (describe):**

Our agency’s protocols for obtaining interpreting services in a timely manner is as follows:

We use the selected contractor in all instances when possible, to obtain interpreter services in a timely manner.

If an individual with LEP insists on having a family member, friend, or other person interpret, our protocols for deciding whether to accept or decline such an arrangement is as follows:



Individuals with LEP that come into contact with our agency will be informed of the availability of free interpreting services. Generally, an individual with LEP may not have a family member, friend, or a minor interpret. However, during emergencies an LEP individual may be permitted to have a minor, a family member or friend interpret. Upon request, an individual with LEP may also be permitted to have a minor, a family member or friend interpret for routine matters, such as asking the location of the office, hours of operation or rescheduling an appointment. Where the interaction with the individual with LEP occurs at the agency’s office, and an individual is permitted to have an interpreter of their choosing, they must fill out a written consent/waiver form. Where an individual with LEP is engaged in official business with the agency, the agency will provide an independent interpreter at all times.

Our agency provides information to all staff members who have contact with the public about how to obtain oral interpreting services. Our protocol in this regard is as follows:

OPRHP issued a guidance document to all agency staff explaining how to obtain oral interpreting services. This document is posted in all Park Offices, the agency’s Intranet, and included with new employee training materials.

The agency’s Language Access Coordinator (“LAC”) maintains a list of oral interpreting resources that are available to staff. This resource list includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the primary language of an individual with LEP
- Languages in which each interpreter or service is qualified
- Procedures for accessing each interpreter or service

Our agency records and maintains documentation of oral interpreting services provided to individuals with LEP at each encounter. Our protocol in this regard is as follows:

The Park Police may record contacts with patrons with LEP through police reports. OPRHP maintains records of oral interpreting services provided to patrons with LEP through the interpreting services contractor. The telephonic contractor is our main source of keeping a record of the patron’s language needs since we reach out to the contractor for language assistance.

Cultural Competence and Confidentiality

Our agency makes sure interpreters are culturally competent¹ in the following ways:

¹ Cultural Competence is defined as *a set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables effective interactions in a cross-cultural framework.* U.S. Department of Health and Human Services, Office of Minority Health. 2000. Assuring Cultural Competence in Health Care: Recommendations for National



On a case-by-case basis, OPRHP uses multilingual staff volunteers who are self-assessed in their own language competency. Where OPRHP utilizes independent interpreting services, that contractor will implement quality assurance standards to guarantee that its interpreters are trained and are linguistically and culturally competent.

Our agency makes sure interpreters follow state and federal confidentiality protocols in the following ways:

Except for police matters, the subject matters that would be discussed regarding the services provided by OPRHP do not typically include matters involving confidentiality. However, staff members are trained to address the issue of confidentiality. Independent interpreters will enforce standards of confidentiality in accordance with NYS Law.

C. Translations of Documents

At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents² that must be translated. This process is accomplished in the following ways:

OPRHP trains key supervisors, managers and front-line employees who have contact with LEP patrons regarding the determination of what are vital documents. They provide feedback to the Language Access Coordinator at least once every two years.

Our agency’s process for making sure documents are written in plain language³ before they are translated into other languages is as follows:

Any new or existing documents intended for public dissemination are reviewed by a committee of central agency staff including a “writer” from the public information bureau, an attorney from the Counsel’s Office and a “floating” staff member from a bureau or position that has some nexus to the type of material being reviewed. OPRHP will ensure that documents are written into plain English prior to translation.

Our agency has the following resources available for translation of documents:

- Contractors for translation services

Standards and an Outcomes-Focused Research Agenda. Extracted from:
https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring_Cultural_Competence_in_Health_Care-1999.pdf

² Vital Documents is defined as any paper or digital document that contains information that is critical for obtaining agency services or benefits or is otherwise required to be completed by law.

³ The [Plain Writing Act of 2010](https://www.govinfo.gov/app/details/PLAW-111publ274) defines plain language as writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience. Extracted from: <https://www.govinfo.gov/app/details/PLAW-111publ274>



Number of contractors: One primary translation services contractor that’s under the NYS OGS Statewide Language Services Contract and covers over 290 languages and dialects, as well as potentially any contractor under the same contract.

Contracts or other arrangements with schools and community organizations

Names of schools/organizations:

Translation of documents by bilingual staff members

Other (describe)

The agency’s Language Access Coordinator (“LAC”) maintains a list of translation resources that are available to staff. This resource list includes:

Names and contact information for all resources

Names and locations of staff members who are available to provide translations of documents

Languages in which each translation service is qualified

Procedures for accessing each translation service

Our agency translates documents that individuals with LEP submit in their primary languages in a timely manner. Our protocol in this regard is as follows:

Any agency staff member who receives a document that is not in English or requires translation into another language is promptly submitted to their Facility Manager. The respective Facility Manager then contacts the LAC, and the LAC sends the document to the selected contractor for translation services for timely translation.

The following non-exhaustive list of documents are currently translated or in the process of translation by our agency in the languages indicated. Documents with an asterisk (*) are determined by the agency to be vital documents.

- *AR: Arabic*
- *BA: Bangla*
- *CH: Chinese*
- *FR: French*
- *HA: Haitian-Creole*
- *IT: Italian*
- *KO: Korean*
- *PO: Polish*
- *RU: Russian*
- *SP: Spanish*
- *UR: Urdu*
- *YI: Yiddish*

		Top 12 Languages	
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Form #	Name	AR	BA	CH	FR	HA	IT	KO	PO	RU	SP	UR	YI	Additional Languages
	Acknowledgement of Risk & Release*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	General Comment & Complaint Form*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Accessibility Policy*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Park Police Comment & Complaint Form*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Safety & Warning Signs without Universal/International Symbols	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Volunteer Service Agreement										✓			

The process for ensuring that translations are accurate and incorporate commonly used words is as follows:

OPRHP, through its contractor (where applicable), will ensure that proofing/editing for correctness and cultural sensitivity are a component of the translation services provided by any contractor under contract as part of the publication process. OPRHP will also ensure that plain language is used in materials produced before translation to ensure information is accessible to a range of literacy levels.



PART 5 – Staff Training

The person in the agency who is responsible for training staff in language access services is:

The Language Access Coordinator, in concert with the Agency’s Director of Training and Affirmative Action Bureau, provide the Office of Employee Relations-mandated Language Access training on an annual basis for all permanent and seasonal employees who have contact with



patrons. The Agency recognizes that language access training is an integral component of diversity/cultural sensitivity training.

The staff training includes the following components:

- ☒ The agency’s legal obligations to provide language access services
- ☒ The agency’s resources for providing language access services
- ☒ How to access and work with interpreters
- ☒ Cultural competence and cultural sensitivity
- ☒ How to obtain translation services
- ☒ Maintaining records of language access services provided to individuals with LEP

The methods and frequency of training are as follows:

OPRHP requires supervisors, managers and front-line employees who have contact with LEP patrons to take the mandated language access training annually. Language access training is an integral component in the annual training curriculum for all OPRHP staff. The Director of Training is responsible for identifying staff that has missed the scheduled annual language access training and said staff will be directed to complete the training upon their return to work.



PART 6 – Monitoring the Plan and Responding to Complaints

A. Monitoring

Our agency’s Language Access Coordinator (“LAC”) will monitor implementation of the Plan to make sure we are in compliance. Our protocols in this regard are as follows:

- Routinely assure that the selected contractor(s) services are functional and request any available reports regarding its use by OPRHP.
- Annually request feedback from Facility Managers regarding encounters with individuals with LEP, usefulness or difficulties with provided resources, and suggestions for improvement.
- Annually request and fulfill need for replenishment of language identification posters and “I Speak” cards.

B. Complaints

We provide information to the public in at least the top 12 most commonly spoken non-English languages in the state, advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency. We do



not retaliate or take other adverse action because an individual has filed a language access complaint.

We display information on the right to file a complaint, and the procedures for filing a complaint, in the following manner:

We have a standardized complaint form for language access related complaints translated in the top 12 languages and available upon request. The Language Access Coordinator assures posting of the complaint procedure in areas where it is easily seen by the public in the top 12 languages. Posters and brochures indicating the availability of free language assistance services are also publicly visible in our facilities. The complaint forms are also available for download or online submission through our website. Additionally, information on the right to file a complaint is posted in the top 12 languages on our website.

We handle complaints made to the agency regarding the provision of language assistance services in the following manner:

The Language Access Coordinator is responsible for receiving, responding to, and resolving all language access related complaints. All complaints must be timely forwarded to the Office of Language Access.



PART 7 – Signatures



X 


Head of Agency Commissioner 3-26-24

Title **Date**

X 

Agency LAC Community Relations Rep. 8/26/24

Title **Date**

X 

Margarita Larios 10/10/24

Executive Director, NYS Office of Language Access **Date**