Office of General Services
Office of Language Access

Office for the Prevention of Domestic Violence

LANGUAGE ACCESS PLAN FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY

State Agency: NYS Office for the Prevention of Domestic Violence

Effective Date of Plan: October 1, 2024

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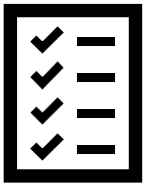

This document is our agency's **Language Access Plan**.

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

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

	The population with Limited English Proficiency ("LEP") in our service area.
	How we notify the public about language access services.
	Our resources and methods for providing language access services.
	How we train our staff to provide language access services to the public.

How we monitor language access services and respond to complaints.

Table of Contents

PART 1 – Our Agency's Services 3
PART 2 – The Population with Limited English Proficiency in Our Service Area 4
PART 3 – Public Outreach About the Availability of Language Access Services 5
PART 4 – Provision of Language Access Services 6
PART 5 – Staff Training 12
PART 6 – Monitoring the Plan and Responding to Complaints 13
PART 7 – Signatures 14

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 for the Prevention of Domestic Violence's (OPDV's) mission is to improve New York State's response to and prevention of domestic violence with the goal of enhancing the safety of all New Yorkers in their intimate and family relationships. OPDV does not offer direct services to the public. However, the name of our agency leads some people to assume that we do. As a result, we have two staff members who handle calls and communications from the public. OPDV's Assistant Director for Victim Services and Advocacy and our Victim Resources Specialist make referrals to other State and local agencies that do provide direct services to victims of domestic violence. These staff members refer callers to the Statewide Hotline number, which provides services in all languages. OPDV achieves its public awareness efforts mostly by utilizing digital media.

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 the agency hasn't identified the need to add languages but will continue to monitor services, request and relevant information to reassess if needed.

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

OPDV's Assistant Director for Victim Services and Advocacy maintains a database that includes tracking occasions when callers are individuals with LEP. Our language assistance service contractor provides an ongoing summary of frequency of use, type of service provided and usage costs. The agency we contract with to provide the statewide domestic and sexual violence hotline tracks encounters with individuals with LEP and reports that information to OPDV. Additionally, OPDV will record the number of requests for language access at events.

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? Utilizing telephonic interpretation and registration for events and using the Language Identification signs and "I Speak" cards at tabling events.

☐ 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?

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

What are the populations with LEP targeted?

☐ 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)

The Text/Chat line associated with the NYS Hotline is available in most languages. This is promoted in all social media containing information on the NYS Hotline.

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)

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:** Although OPDV does not have in-office contacts with the public, in the event that individuals with LEP come into contact with our agency, they will be informed of the availability of free interpreting services.

☐ **At initial contact in the field:**

☒ **When speaking on the telephone:** If the person cannot speak English, or seems unable to communicate their needs, staff will utilize telephonic interpreting services and/or refer the caller to the Statewide Hotline for direct crisis intervention and referrals services.

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

☐ **Other (describe):**

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

OPDV currently maintains a database of calls received and languages spoken by each caller. Our language assistance provider documents frequency of use and type of service provided. OPDV documents individuals with LEPs' language assistance needs provided through the NYS Domestic Violence and Sexual Violence Hotline.

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: OPDV has one bilingual staff member who speaks Spanish.

☒ Telephonic interpreting service

Number of contractors and languages spoken: Potentially any telephonic contractor under the NYS Office of General Services (OGS) Statewide Administrative Services Contract.

☒ Contracts or other arrangements with school and community organizations

Number of contracts or other arrangements and languages spoken: OPDV contracts with a local service provider to operate the NYS Domestic and Sexual Violence Hotline, which is available in most languages.

☐ 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:** OPDV does not provide in-person services, but we are prepared to provide language access services to individuals with LEP who visit our offices. We use "I Speak" posters to indicate accessibility and identify primary language, and then bring in an OGS approved contractor on either a three-way call or speaker phone.

☐ **At initial contact in the field:**

☒ **When speaking on the telephone:** If the person cannot speak English, or seems unable to communicate their needs, staff will utilize telephonic interpreting services and/or refer caller to the Statewide Hotline for direct crisis intervention and referrals services. Staff, using telephonic contracted interpreters, verbally informs individuals with LEP that interpreter services are free of charge to the individual.

☐ **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 access our OGS approved contractor, using our established protocol, which is as follows: Caller is invited to hold on the phone line while we connect with the telephonic interpretation contractor. The contractor is called, agency identification information is provided, and a request is made for the appropriate language. An interpreter is then conferenced in with the caller. The caller is informed that the interpretation service is free, and through the interpreter the purpose of their call is determined. Information and referrals are provided as appropriate.

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:

Although OPDV does not have in-office contacts with the public, in the event that individuals with LEP come into contact with our agency, they will be informed of the availability of free interpreting services. Generally, an individual with LEP may not have a minor, a family member or a friend interpret. However, during emergencies an individual with LEP may be able to have a minor, a family member or a friend interpret. Upon request, individuals 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 use 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:

OPDV's staff who answer phones are trained regarding how to connect to the selected telephonic interpreting contractor in a timely manner.

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:

OPDV's Assistant Director of Victim Services maintains a database that includes information on the language spoken by each caller. Our language assistance service contractor provides an ongoing summary of frequency of use, type of service provided and usage costs.

<u>Cultural Competence and Confidentiality</u>
Our agency makes sure interpreters are culturally competent[1] in the following ways:

Where OPDV utilizes independent interpreting services, contractors 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:

The Language Access training provided to staff addresses the importance of confidentiality, which is already taken very seriously by OPDV staff. Interpreter services will enforce standards of confidentiality in accordance with NYS law. Our contract with the organization that runs the NYS Domestic and Sexual Violence Hotline also stresses the importance of confidentiality. Since that is an organization that provides domestic and sexual violence advocacy services, the

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

staff are very aware of the importance of confidentiality in providing hotline services. OPDV reports to the Office of Language Access on any deficiencies that become evident during the use of any interpreting service.

C. Translations of Documents

At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents[2] that must be translated. This process is accomplished in the following ways:

The Assistant Director of OPDV's Equity and Inclusion and the Director of External Affairs meet on an annual and ongoing basis to review existing any vital documents and to identify any new vital documents (including website content) that should be translated pursuant to Executive Law Section 202-a.

Our agency's process for making sure documents are written in plain language[3] before they are translated into other languages is as follows:

OPDV has a very strong emphasis on providing all of our public education materials in plain language. OPDV will review documents for plain language usage in materials produced, before translations, to promote accessibility for readers with a range of literacy levels.

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

☒ Contractors for translation services

Number of contractors: Potentially any contractor under the NYS Office of General Services 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:

[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 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

☒ 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:

Individuals with LEP do not ordinarily submit documents to OPDV, as we do not provide direct services. However, if individuals with LEP were to submit a document or information in a non-English language, OPDV would have those translated by working with the selected contractor to provide such 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*

Form #	Name	Top 12 Languages												Additional Languages
		AR	BA	CH	FR	HA	IT	KO	PO	RU	SP	UR	YI	
	SA Tear Off & Hotline Info	x	x	x	x	x	x	x	x	x	x	x	x	
	*SAFE Funds Application	x	x	x	x	x	x	x	x	x	x	x	x	

	Economic Abuse Flyer										x			

New documents identified for translation after the signing of this Plan and before the 2-year reassessment will be translated in a timely manner.

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

OPDV, through its contractor, will ensure that proofing/editing for correctness and cultural relevance are a component of the translation services provided by any contractor under contract as part of the publication process. OPDV 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: Alyssa DeRosa, Deputy Executive Director of External Affairs, and Katherine Grant, Assistant Director of Equity and Inclusion

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:

All frontline staff take the mandatory annual statewide Language Access online training on the Statewide Learning Management System. OPDV provides at least one additional in person training per year on language access services. Periodically, staff are provided additional training as it may relate to a specific issue, as needed.

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:

- Ensure that all staff are trained regarding the Language Access Plan
- Require and review periodic reports from the Community Resources Specialist and selected language assistance contractors
- Ensure that all language access-related complaints are addressed promptly
- Review and evaluate data acquired from OPDV's website
- Review and evaluate data acquired from the NYS Domestic Violence & Sexual Violence Hotline regarding language access, and address any deficiencies identified
- Complete and timely file all required reports to the Office of Language Access

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:

The standardized complaint forms, along with the procedures for filing a complaint, are 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:

Any complaints received are addressed by the OPDV Language Access Coordinator as necessary, so that appropriate remediation of an identified problem can be made. We do not retaliate or take other adverse action because an individual has filed a language access complaint.

All complaints must be forwarded to the Office of Language Access.

PART 7 – Signatures

X

Head of Agency	Title	Date
	EXECUTIVE DIRECTOR	1/13/25

X

Kathryn Gordon	Deputy Executive Director for External Affairs	1/13/25
Agency LAC	**Title**	**Date**

X

Margarita Larios	01/16/2025
Executive Director, NYS Office of Language Access	**Date**