

**STATE OF ALASKA**  
**Council on Domestic Violence &**  
**Sexual Assault**



Alaska's Council on  
Domestic Violence  
& Sexual Assault

**Language Access Plan**

**November 2019**

# **Council on Domestic Violence & Sexual Assault**

## **Language Access Plan**

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### **1. GENERAL LANGUAGE ACCESS POLICY**

#### **a. Policy Statement**

The language access policy of the Council on Domestic Violence & Sexual Assault (CDVSA) is:

1. Council on Domestic Violence & Sexual Assault staff shall take reasonable steps to provide limited-English-proficient (LEP) persons with meaningful access to all programs or activities conducted both by CDVSA and by entities receiving funding from CDVSA.
2. This policy is based on the principle that it is the responsibility of CDVSA and not the LEP person to take reasonable steps to ensure that communications between CDVSA and the LEP person are not impaired as a result of the limited-English-proficiency of the individual. LEP individuals are persons who have a limited ability to read, write, speak, or understand English.
3. CDVSA staff shall take reasonable steps to effectively inform the public of the availability of language accessible programs and activities.

#### **b. Purpose and Authority**

The purpose of this Language Access Plan is to make reasonable efforts to eliminate or reduce barriers for limited-English-proficient Alaskans to access CDVSA programs or activities. CDVSA created this Language Access Plan after conducting a thorough statewide needs assessment and planning process.

This Language Access Plan establishes guidelines in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), 65 Federal Register 50121 (Aug. 16, 2000). These guidelines are designed to be consistent with the standards set forth in the following documents: 1) Department of Justice initial Limited English Proficient Guidance, Enforcement of Title VI of the Civil Rights Act of 1964— National Origin Discrimination Against Persons With Limited English Proficiency, 65 Federal Register 50123 (Aug. 16, 2000);<sup>1</sup> 2) Department of Justice's Limited English Proficient Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Federal Register 41455 (June 18, 2002);<sup>2</sup> and 3) Attorney General's memorandum to the heads of Department components, Language Access Obligations Under

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<sup>1</sup> This document is available at <http://www.justice.gov/crt/about/cor/Pubs/eolep.pdf>

<sup>2</sup> This document is available at <http://www.justice.gov/crt/about/cor/lep/DOJFinLEPFRJun182002.php>

To comply with these Department of Justice guidelines, CDVSA staff shall make reasonable efforts to provide timely language assistance services to ensure that LEP individuals have substantially equal and meaningfully effective access to CDVSA programs or services.<sup>4</sup>

**c. Definitions**

1. *Limited-English-Proficient (LEP) Individuals*: Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).
2. *Meaningful Access*: Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed or inferior as compared to programs or activities provided to English proficient individuals.
3. *Multilingual staff or employee*: A staff person or employee who has demonstrated proficiency in English and reading, writing, speaking, or understanding at least one other language.
4. *Primary Language*: An individual's primary language is the language in which an individual most effectively communicates.
5. *Program or Activity*: The term "program or activity" and the term "program" mean all of the operations of CDVSA.
6. *Qualified Translator or Interpreter*: An in-house or contracted translator or interpreter who has demonstrated his or her competence through certification or other nationally recognized standards as followed by interpreters/translators trained with AIJ Language Interpreter Center.
7. *Direct "In-Language" Communication*: Monolingual communication in a language other than English between a multilingual staff and a

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<sup>3</sup> This document is available at [http://www.justice.gov/crt/about/cor/language\\_access\\_memo.pdf](http://www.justice.gov/crt/about/cor/language_access_memo.pdf). Further information, guidance, and technical assistance on the implementation of Executive Order 13166 can be found on the website of the Federal Coordination and Compliance Section of the Civil Rights Division, <http://www.justice.gov/crt/about/cor/>, or <https://www.lep.gov/>

<sup>4</sup> Regarding timeliness, the LEP Guidance to DOJ Recipients provides that "[w]hile there is no single definition for 'timely' applicable to all types of interactions at all times by all types of recipients, one clear guide is that the language assistance should be provided at a time and place that avoids the effective denial of the service, benefit, or right at issue or the imposition of an undue burden on or delay in important rights, benefits, or services to the LEP person." 67 Federal Register at 41461.

limited-English-proficient person (e.g., Spanish to Spanish).

8. *Effective Communication*: Communication sufficient to provide the LEP individual with substantially the same level of access to services received by individuals who are not LEP. For example, staff must take reasonable steps to ensure communication with an LEP individual is as effective as communications with others when providing similar programs and services.
9. *Interpretation*: The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.
10. *Simultaneous Interpreting*: Providing the interpreted words continuously at the same time someone is speaking.
11. *Language Assistance Services*: Oral and written language services needed to assist LEP individuals to communicate effectively with CDVSA staff, and to provide LEP individuals with meaningful access to, and an equal opportunity to participate fully in, the services, activities, or other programs administered by CDVSA.
12. *Sight Translation*: Oral rendering of written text into spoken language by an interpreter without change in meaning based on a visual review of the original text or document.
13. *Translation*: The replacement of written text from one language (source language) into an equivalent written text in another language (target language).
14. *Vital Document*: Paper or electronic written material that contains information that is critical for accessing CDVSA's program or activities, or is required by law.
15. *Certified Court Interpreter*: A certified court interpreter in Alaska is an individual who has mastered speaking both English and a second language and is able to perform the three major types of court interpreting (consecutive interpreting, simultaneous interpreting and sight translation) and has passed a series of written and oral examinations through the National Center for State Courts and/or U.S. Federal Courts.
16. *Registered Court Interpreter*: A registered court interpreter in Alaska is an individual who speaks two languages fluently and successfully, and has completed the interpreter training series through the Language Interpreter Center (LIC) and Alaska Court System requirements. The Alaska Court System maintains a list of "registered" court interpreters who can provide interpreter services in legal proceedings.
17. *Consecutive Interpreting*: Providing the interpreted words after the speaker has stopped speaking. Interpreters often take notes to help them recall what has been said.

18. *Language Access Coordinator*: The CDVSA employee who is responsible for development and oversight of the language access policy and implementation plan ensuring that all CDVSA staff are aware of the language access policy and the steps needed to implement the policy.
19. *Language Interpreter Center (LIC)*: The LIC is an Alaskan-based language service provider that provides onsite, over-the-phone and video-remote interpreting and translation services in the legal, medical and community settings. The LIC provides language access workshops and technical assistance to agencies developing Language Access Plans. Language Interpreter Center 431 W. 7th Avenue #208 Anchorage, AK 99501 telephone 907-297-2460; <http://www.akijp.org/language-interpreter-center/>
20. *Telephonic Interpreting Service*: An over-the-phone interpretation service in which off-site interpreters assist public and private organizations in communicating with people who are LEP. For example, a crisis line caller needing services. The telephonic interpreter service should demonstrate a high degree of training and professionalism.

#### **d. Scope of Policy/Staff Compliance**

CDVSA staff shall take reasonable steps to provide language assistance services to LEP individuals when they encounter or have reason to believe that they may encounter LEP individuals in the course of fulfilling their mission. CDVSA's mission is to promote the prevention of domestic violence and sexual assault and provide safety for Alaskans victimized or impacted by domestic violence and sexual assault and underserved victims of other violent crimes through a statewide system of crisis intervention and support, and to demand perpetrator accountability. Subject to guidelines set forth herein, CDVSA staff shall take reasonable steps to provide language assistance services upon request by a LEP person who wishes to access CDVSA programs or activities or to whom CDVSA staff wishes to communicate.

## **2. BACKGROUND**

The Council on Domestic Violence and Sexual Assault's mission is to provide safety for Alaskans victimized or impacted by domestic violence and sexual assault and other violent crimes. CDVSA is responsible for making sure Alaska has a system of statewide crisis intervention services (such as local shelter programs), perpetrator accountability programs (such as approved batterer's intervention programs) and prevention services.

These and other examples highlight that CDVSA's mission depends on accurate communication with members of the public, regardless of their level of English proficiency. In compliance with Executive Order 13166, this Language Access Plan details CDVSA's initiatives to enhance access to its federally conducted programs and activities by LEP individuals.

### **Executive Order 13166**

On August 11, 2000, the President issued Executive Order 13166, Improving Access

to Services by Persons with Limited English Proficiency. See 65 Federal Register at 50121. On the same day, the Assistant Attorney General for Civil Rights issued an initial Limited English Proficiency Policy Guidance. See 65 Federal Register at 50123.

The Executive Order has two broad objectives: The first directs each federal agency to develop and implement a system to ensure that LEP individuals can meaningfully access the agency's federally conducted programs and activities; the second directs federal agencies providing federal financial assistance to issue guidance to recipients of such assistance regarding their legal obligation to ensure meaningful access for LEP persons under the national origin nondiscrimination provisions of Title VI of the Civil Rights Act of 1964 and implementing regulations. In short, Executive Order 13166 tasks the Department of Justice (DOJ) with improving accessibility for LEP persons in all DOJ programs and activities and ensuring that those entities that receive funding from the Department of Justice do the same.

CDVSA used a self-assessment tool adapted from the *Department of Justice Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs* to self-assess and determine their capacity and their need to provide services to LEP individuals.

The four-factor analysis is a flexible and fact-dependent standard used to determine the appropriate language assistance services to ensure a LEP individual has meaningful access to a federally-funded agency's programs and activities. The four-factor analysis considers: (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program; (2) the frequency with which LEP individuals come in contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the program and costs.

### 3. NEEDS ASSESSMENT

The four factors identified in the DOJ Guidelines have been considered in assessing CDVSA's language needs and determining the reasonable steps CDVSA shall take to provide limited-English-proficient (LEP) persons with meaningful access to all programs or activities conducted both by CDVSA and by entities receiving federal funding from CDVSA.

#### 1. The number or proportion of LEP persons eligible to be served or likely to be encountered by CDVSA program or activity.

##### A. U.S. Census Data

**Population:** The 2018 U.S. Census data estimates Alaska's population at 737,438. The Census data show that the five largest cities in Alaska are Anchorage 291,538; Fairbanks North Star Borough 98,971; Juneau 32,113; Sitka 8,647; and Ketchikan 8,289. The statistics below also include the hub communities of Bethel and Utqiagvik.

**Statewide in Alaska:** According to demographics from the US Census American Community Survey 2013-2017 **about 109,554 (16%) of people in Alaska do not speak English at home.** Approximately **34,359 (31.4%)** of those people do not speak English "very well." These people are unable to access services at organizations that do not have a language access plan.

Subject	Total		Percent	
	Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	684,298	+/- 142	(X)	(X)
Speak only English	574,744	+/- 2,334	84.0%	+/- 0.3
Speak a language other than English	109,554	+/- 2,330	16.0%	+/- 0.3

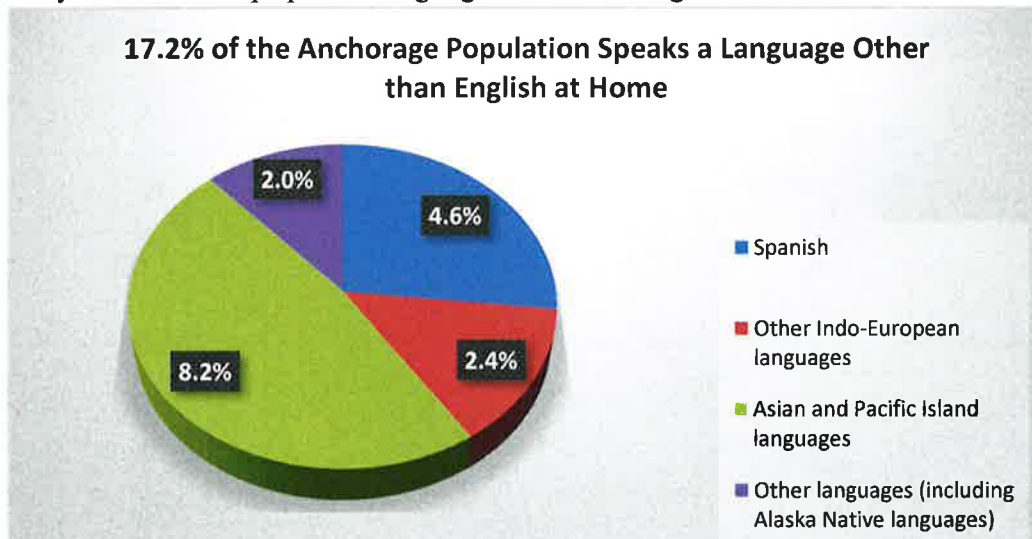
Source:

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As the US Census data below illustrate each community in Alaska is diverse and each community has different language needs.

## ANCHORAGE

According to the United States Census Bureau, **47,541 or 17.2%** of Anchorage residents 5 years old and up speak a language other than English at home.



Source: <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>

### A. Anchorage School District

The Anchorage School District is the largest in the state and in 2018 served more than 48,089 students who speak **110** different languages in the English Language Learner program. The district reports that after English, the five most common languages spoken are Spanish, Samoan, Hmong, Tagalog, and Yup'ik.



## Non-English languages spoken

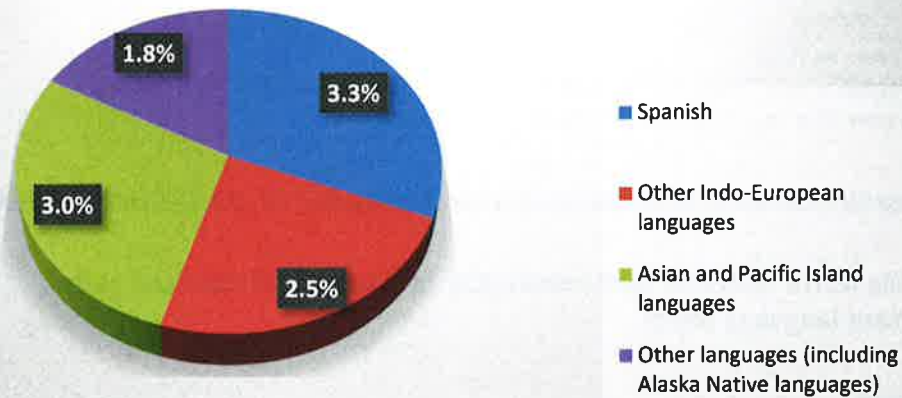
Most ASD families – 80 percent – speak English at home. The remaining 20 percent speak 110 languages.

Top 5 languages spoken at ASD after English K-12, 2018:

- o **Spanish: 1799**
- o **Samoan: 1566**
- o **Hmong: 1231**
- o **Filipino: 1126**
- o **Yupik: 364**

## FAIRBANKS

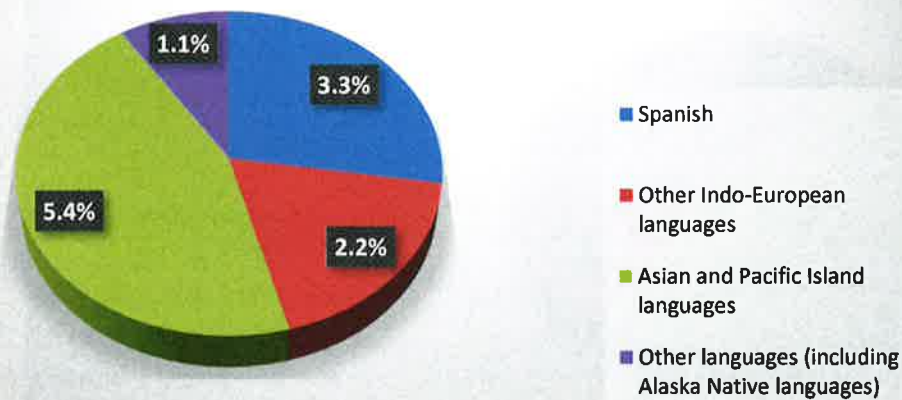
10.6% of the Fairbanks Population Speaks a Language Other than English at Home



Source: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

## JUNEAU

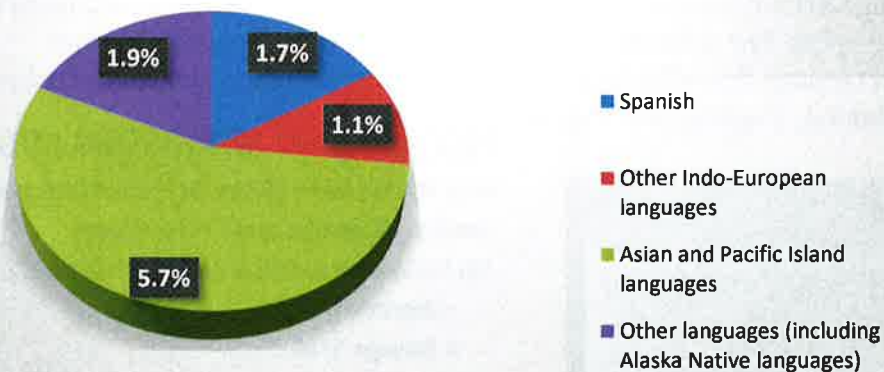
12% of the Juneau Population Speaks a Language Other than English at Home



Source: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

## SITKA

10.4% of the Sitka Population Speaks a Language Other than English at Home

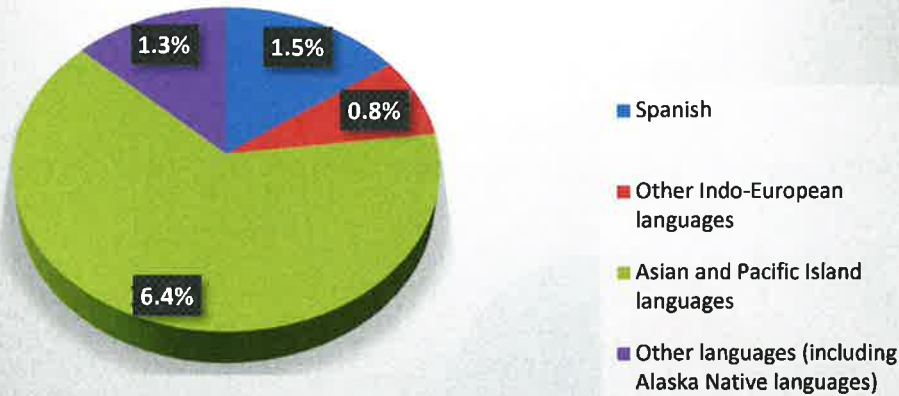


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## KETCHIKAN

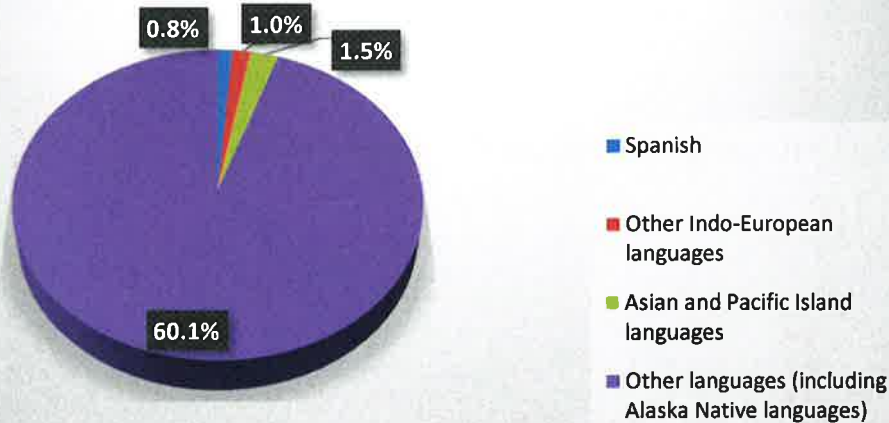
10% of the Ketchikan Population Speaks a Language Other than English at Home



Source: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

## BETHEL

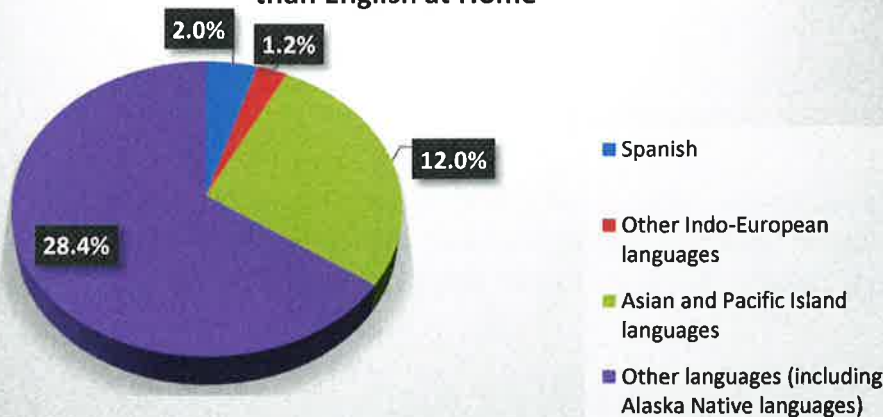
63.4% of the Bethel Population Speaks a Language Other than English at Home



Source: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

## UTQIAGVIK

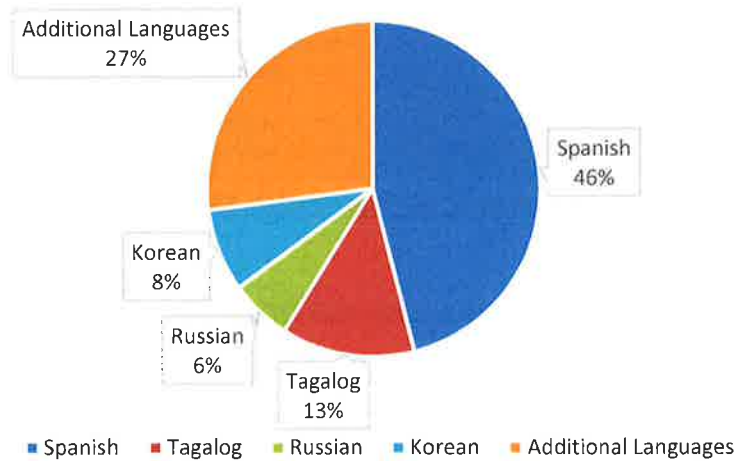
43.6% of the Utqiagvik Population Speaks a Language Other than English at Home



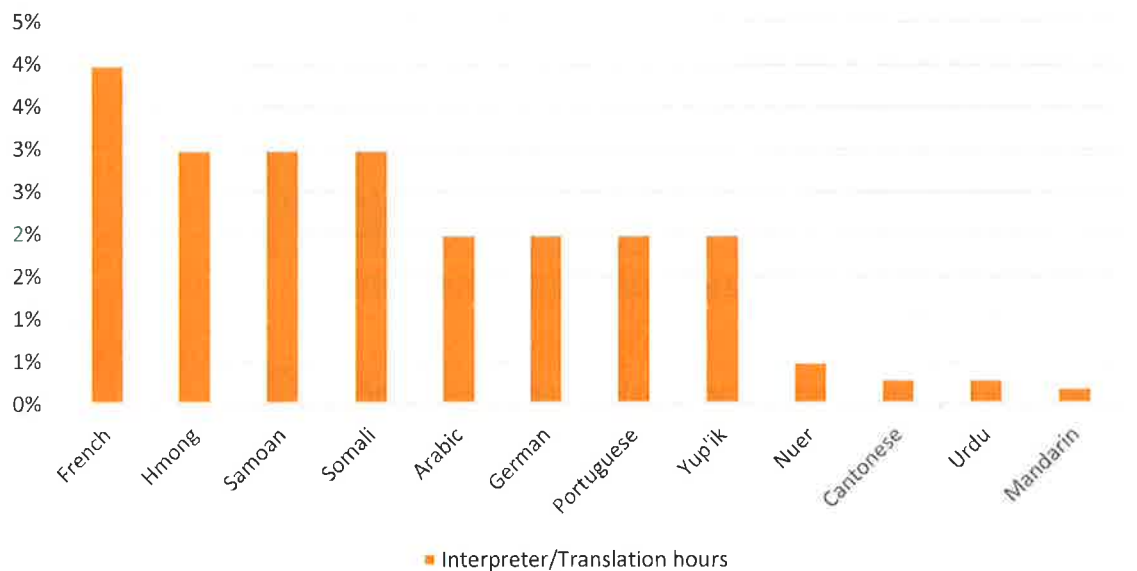
Source: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

**ALASKA INSTITUTE FOR JUSTICE STATISTICS<sup>5</sup>**

**2015-2018**  
 Top Statewide Languages  
 Provided by AIJ Language Interpreter Center



**Additional Top Languages Across the State of Alaska**



Based on these statewide statistics and recent language access requests with the Alaska Institute for Justice Language Interpreter Center, the top requested eight statewide languages are Spanish, Tagalog, Korean, Russian, Hmong, Samoan, Yup'ik and Chinese.

<sup>5</sup> ALASKA INSTITUTE FOR JUSTICE & UAA JUSTICE CENTER, FINAL EVALUATION REPORT FOR DEPARTMENT OF JUSTICE OFFICE FOR VICTIMS OF CRIME: ACCESS TO JUSTICE FOR RURAL & UNDERSERVED CRIME VICTIMS, (2018).

## **2. The frequency with which LEP individuals come into contact with CDVSA programs and grantees.**

### *i. CDVSA Data*

The CDVSA results of the Self-Assessment Survey identified language services needs and evaluated the bilingual, translation and interpretation resources available to help limited-English-proficient (LEP) individuals access CDVSA's federally funded statewide programs and services. The CVDSA Self-Assessment Survey results included responses from eight CVDSA staff. CDVSA reported that seventy LEP individuals received services from their grantees for the year ending in September 2018. CDVSA and their grantees interact with LEP community members across the state of Alaska through in-person communication, telephonically, and electronically through both e-mail and website. CDVSA staff reported a variety of barriers for limited-English-proficient Alaskans to access their office and grantee services across the state.

### *ii. Alaska Court System Statewide Language Interpretation Needs Survey (2005)*

CDVSA provides funding for interpreters to the Alaska Court System. In 2005, the Alaska Court System conducted a statewide survey to assess the need for interpreter services. The survey was distributed to 913 organizations representing for-profit and non-profit businesses, Alaska Native groups, and state and federal government. The survey found that the most common languages requested for interpretation services are Spanish, Yup'ik, Russian, Korean, Tagalog, Ukrainian, and Ifupiaq.

### *iii. Domestic Violence Protective Orders*

The Alaska Court System collected data from January 2007 to December 2008, of AT&T Language Line usage for 390 LEP individuals in domestic violence proceedings. That data indicated that the six languages most often requested are Spanish (163 persons), Tagalog (38 persons), Korean (34 persons), Hmong (28 persons), and Russian (24 persons).

## **3. The nature and importance of the program, activity, or services provided by CDVSA to people's lives.**

In consultation with authorities in the field, the Council on Domestic Violence and Sexual Assault has statutory responsibility to:

- Assist domestic violence, sexual assault, and crisis intervention and prevention programs, including educational programs, films, and school curricula on the cause, prevention, and treatment of domestic violence and sexual assault;
- Coordinate services provided by the Department of Law, the Department of Education and Early Development, the Department of Public Safety, the Department of Health and Social Services, the Department of Corrections, and other state agencies and community groups dealing with domestic violence, sexual assault, and crisis intervention and prevention, and provide

technical assistance as requested by those state agencies and community groups;

- Develop and implement a standardized data collection system on domestic violence, sexual assault, and crisis intervention and prevention;
- Conduct public hearings and studies on issues relating to violence, including domestic violence and sexual assault, and on issues relating to the role of crisis intervention and prevention;
- Receive and dispense state and federal money and award grants and contracts from appropriations to qualified local community entities for domestic violence, sexual assault, other violent crimes, and crisis intervention and prevention programs;
- Oversee and audit domestic violence, sexual assault, and crisis intervention and prevention programs that receive money under this chapter;
- Provide fiscal and technical assistance to plan, organize, implement, and administer domestic violence, sexual assault, and crisis intervention and prevention programs;
- Make an annual report to the governor on the activities of the council, plans of the council for new services and programs, and concerns of the council, including recommendations for legislation necessary to carry out the purposes of this chapter; the council shall notify the legislature that the report is available;
- Adopt regulations in accordance with AS 44.62 (Administrative Procedure Act) to carry out the purposes of this chapter and to protect the health, safety, well-being, and privacy of persons receiving services financed with grants or contracts under this chapter;
- Consult with the Department of Health and Social Services in the formulation of standards and procedures for the delivery of services to victims of domestic violence by health care facilities and practitioners of healing arts and personnel in those facilities as required in AS 18.66.300;
- Consult with the Alaska Police Standards Council and other police training programs in the state to develop training programs regarding domestic violence for police officers and for correction, probation, and parole officers; and
- Consult with public employers, the Alaska Supreme Court, school districts, and prosecuting authorities who are required by AS 18.66.300 - 18.66.310 to provide continuing education courses in domestic violence to employees.

#### **4. The resources available to CDVSA and costs.**

CDVSA is a state-funded branch of government. Alaska's expansive geography, lack of infrastructure and technology needed for telephonic and video interpreting services and the limited availability of competent interpreters in parts of the state remain challenges to

providing language access. Alaska's geographical barriers for victims of violent crimes are unparalleled by any other state. Alaska's territory is equal to approximately one-third the entire landmass of the United States.



- **82% of communities in Alaska are not road connected**
- **One-fifth the size of the United States.**

This makes Alaska larger than the states of Texas, California and Montana combined. Over 400,000 rural Alaskans are spread out across the land in a few small cities and in numerous smaller towns and villages, many accessible only by small plane or boat. These geographic barriers combined with the limited availability of trained and qualified interpreters and finite funding sources for payment of interpreters present challenges to CDVSA and their grantees in providing language access services of the highest quality statewide.

### **Resources**

The Language Interpreter Center was founded through a public private collaboration with the Alaska Court System and multiple government and business agencies in 2007. The center is administratively separate from the court system and is under the auspices of the nonprofit Alaska Institute for Justice (AIJ). AIJ Language Interpreter Center's goals are to provide: 1) access to qualified interpreters and translators; 2) training for bilingual Alaskans to develop interpreter skills and professional ethics as interpreters and translators for medical, legal and social service professionals; 3) training for groups and agencies on the roles, responsibilities, and professional ethics expected of qualified interpreters; and 4) language access planning. Currently, the LIC works with over 300 trained qualified interpreters. Two LIC-trained interpreters are court certified in Spanish, and are the first interpreters to receive certification by the Alaska Court System. Trained LIC interpreters are available to interpret in 39 different languages within Alaska. The LIC also has a certified medical interpreter in Spanish. The LIC interpreters/translators have undergone extensive training and are qualified to provide interpreter/translation services in Alaska. The contracts for LIC interpreters/translators require that they abide by the Interpreter Code of Ethics and Professional Responsibility to ensure: confidentiality, accuracy, completeness, impartiality, disclosure of any real or perceived conflict of interest, decline of any assignment beyond technical or linguistic ability, and interpret only the languages they are authorized to interpret.

CDVSA has a Memorandum of Understanding (MOU) with the AIJ Language Interpreter Center (LIC) to contract for trained and qualified interpreters, in person or telephonic, and video- remote interpreting. The LIC provides written document translations as well. CDVSA shall utilize the language access resources through the AIJ Language

Interpreter Center in combination with other language access service providers to meet the current need for interpreter/translation services. CDVSA shall periodically reassess the language assistance needs so that the services can be enhanced or modified to continue to meet the language needs of LEP individuals.

#### **4. CDVSA OPERATIONAL GUIDELINES IN THE PROVISION OF LANGUAGE ASSISTANCE SERVICES**

Based on the four factor analysis, CDVSA shall take reasonable steps to provide language access in the following multiple ways including but not limited to:

- a. Identifying LEP Individuals;
- b. Data Tracking;
- c. Training Staff and Grantees about the Importance of Language Access and the CDVSA's Plan to Provide Safe, Timely, and Meaningful Access;
- d. Procurement of Language Assistance Provider;
- e. Monitoring of CDVSA Federally Funded Grantees;
- f. Providing Notice to LEP Persons of the Availability of Language Assistance;
- g. Quality Control;
- h. Translation of CDVSA Vital Materials;
- i. Identifying Multilingual Employees;
- j. Monitoring and Updating the CDVSA Language Access Plan; and
- k. Complaint Procedures

##### **a. Identifying LEP Individuals**

CDVSA staff shall, at the point of first contact with an LEP individual, make reasonable efforts to conduct or arrange for an initial assessment of the need for language assistance services, and staff shall make reasonable efforts to obtain such services if they are needed to effectively communicate with the individual. CDVSA staff can determine whether a person needs language assistance in several ways:

- Self-identification by the non-English speaker, LEP individual or companion;
- Inquiring as to the primary language of the individual if they have self-identified as needing language assistance services;
- Asking a multilingual staff or qualified interpreter to verify an individual's primary language;
- Using an "I Speak" language identification card or poster -an example of such a card from the U.S. Census Bureau is available at: <https://www.lep.gov/resources/ISpeakCards2004.pdf> ;
- Signage displayed in CDVSA office using Alaska's most frequently used top eight languages, the sign notifies the public that: "If you are in need of an interpreter please let CDVSA staff know. One shall be provided at no cost to you;"
- Information on CDVSA's website in Alaska's most frequently used top eight languages notifying the public that CDVSA shall provide an

interpreter at no cost to access their office and statewide services; and

- When a caller speaks a language other than English, and multilingual staff are not available, contact can be made through a telephonic language access service to assist in identifying the language spoken and providing an interpreter.

#### **b. Data Tracking**

CDVSA shall annually track data to assess the language needs for the state of Alaska. CDVSA shall include language access needs when conducting statewide planning for federally funded programs and activities. CDVSA staff and grantees shall collect and record primary language data from individuals when they first contact CDVSA's programs and activities. CDVSA shall have a system in place for tracking the type of language assistance services its grantees provide to LEP individuals at each interaction. CDVSA shall have a system to track the cost of language assistance services needed for its office and grantees.

#### **c. Staff Training**

CDVSA staff shall know how and when to access language assistance services. For policies and procedures to be effective, CDVSA shall take reasonable efforts to ensure that new and existing staff members periodically receive training on: the content of CDVSA's language access policy; identifying language access needs; and providing language assistance services to LEP individuals.

Training may include, but is not limited to:

- Identifying the language needs of an LEP individual;
- Working with an interpreter in person or on the telephone;
- Requesting documents for translation;
- Accessing and providing language assistance services through multilingual employees, in-house interpreters and translators, or contracted personnel;
- Interpreter ethics;
- Tracking the use of language assistance services; and
- Tips on providing effective assistance to LEP individuals.

#### **d. Procurement of Language Assistance Provider**

CDVSA shall maintain a list of available language access options with procedures (See Appendix A) on how staff can access qualified interpreters when needed. CDVSA shall allocate funding in the annual budget for staff usage of a language access service to provide access to needed interpretation and translation services for LEP individuals who contact CDVSA or CDVSA sponsored-event. CDVSA shall take reasonable efforts to ensure that any

contracted language assistance service provider has:

- Qualified and competent translators and interpreters, including a review process for translations;
- Mechanisms to ensure confidentiality and avoid conflicts of interest;
- Ability to meet CDVSA's demand for interpreters;
- Ability to meet CDVSA's demand for translation, including the delivery of the translation in editable electronic or other required formats;
- Reasonable cancellation fees;
- On-time service delivery;
- Acceptable emergency response time;
- Any requirements for tracking usage;
- Rapid rates of connection to interpreters via telephone, video or electronically; and
- Effective complaint resolution when translation or interpretation errors occur.

**e. CDVSA Federally Funded Grantees**

CDVSA shall take reasonable efforts to ensure that their federally funded grantees are complying with Title VI nondiscrimination obligations. CDVSA shall use a variety of mechanisms for securing compliance, including executing assurances of nondiscrimination, conducting periodic audits, conducting complaint-based investigations, and selecting grantees for compliance reviews.

CDVSA directs recipients of federal financial assistance (grantees and subgrantees) that they are prohibited from engaging in prohibited national-origin discrimination. To achieve this objective, CDVSA relies on the following tools:

Request for Proposals (RFP) Language. In CDVSA solicitations announcing the availability of grant funds, applicants are advised that as a condition of receipt of federal financial assistance, the applicant must acknowledge and agree that they shall not discriminate on the grounds of national origin, among other protected classes, in the delivery of services. Applicants are informed that this includes taking reasonable steps to ensure that persons with LEP have meaningful access to recipients' programs and activities.

CDVSA informs applicants in the RFP that they must allocate grant funds to support activities that help to ensure meaningful and full access to their programs. CDVSA strongly encourages applicants and recipients to include within their program budgets the costs for providing interpretation and translation services to eligible LEP service populations.



Standard Assurances of Nondiscrimination. As a condition of receiving federal financial assistance, CDVSA ensures that recipients acknowledge and agree that they shall comply with applicable provisions of federal laws prohibiting discrimination, including Title VI of the Civil Rights Act of 1964 and the Omnibus Crime Control and Safe Streets Act of 1968, which prohibit recipients from discriminating on the basis of national origin, among other protected classes, in the delivery of services or benefits.

Letter to Recipients Addressing Language Access Requirements. As part of the grant award package that every recipient receives, CDVSA sends a letter notifying the recipient of its federal civil rights obligations. The letter notifies the recipient of prohibited national-origin discrimination and discusses a recipient's obligation to ensure that it takes reasonable steps to provide meaningful access to its programs and activities for LEP persons.

Findings of Discrimination. In the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of national origin against a recipient of funds, the grantee must forward a copy of the finding to CDVSA.

Compliance Reviews/Complaint Investigations. CDVSA conducts language access compliance reviews of organizations funded by CDVSA. In addition, CDVSA investigates complaints against CDVSA grantees.

Onsite Visits and Desk Reviews. CDVSA onsite monitoring tool includes questions regarding how grantees, their partners, or subrecipients use interpreters and/or translated materials in providing grant funded services. Asking such questions during on-site visits assists CDVSA staff in determining the steps their grantees, their partners, or subrecipients have taken to provide LEP persons with meaningful access to programs and activities. As part of this process, CDVSA staff shall document promising practices and grantees needs for further assistance.

To the extent possible, CDVSA staff shall provide grantees, their partners, or subrecipients with information on available technical assistance resources during site visits to assist them in addressing barriers to serving LEP clients. These resources may include providing contact information for specific technical assistance providers with expertise in serving LEP clients and sharing resource information.

CDVSA staff conducting desk reviews shall review materials, including progress reports, grantee language access policies and procedures, correspondence, and past onsite visit reports to identify LEP issues that should be addressed with grantees, their partners, or subrecipients. CDVSA staff shall document pertinent issues during the desk review and shall address them with grantees, their partners, or subrecipients.

CDVSA Grantee Orientations. CDVSA shall include in grant program orientations segments on ensuring language access under Title VI, CDVSA's commitment to serving LEP individuals and resources that are available to CDVSA grantees, their partners, or subrecipients. Additionally, as appropriate, CDVSA shall invite technical assistance providers to present at grantee orientations on providing services to LEP clients (e.g., the use of interpreters and how to develop an organizational language access plan).

#### **f. Notification of the Availability of Language Assistance Services**

CDVSA shall make reasonable efforts to notify the public about its LEP policies and how to access language assistance services. CDVSA staff shall determine what information shall be provided in English and in appropriate non-English languages using, for example, websites, translated documents, and community-focused outreach. CDVSA has consulted with the Alaska Institute for Justice (AIJ) an organization that has significant contact with LEP populations within Alaska. AIJ has assisted and given input to CDVSA into the language access planning process and helped in identifying populations for whom outreach is needed and who would benefit from CDVSA's programs and activities where language services are provided.

#### **g. Quality Control**

Quality and accuracy of language assistance services provided by CDVSA is critical to providing LEP individuals with meaningful access to CDVSA programs and activities. CDVSA shall take reasonable steps to ensure that all staff or contracted personnel who serve as translators, interpreters or who communicate "in-language" with LEP persons are competent to do so. Considerations of competency in light of particular tasks may include:

- Demonstrated proficiency in and ability to communicate information accurately in both English and the other language;
- Identifying and employing the appropriate mode of interpreting (e.g., consecutive, simultaneous, or sight translation), translating, or communicating fluently in the target language;
- Knowledge in both languages of any specialized terms or concepts particular to CDVSA's program or activity and of any particularized vocabulary used by the LEP person;
- Understanding and following confidentiality, impartiality, and ethical rules; and
- Understanding and adhering to their role as interpreters, translators, or multilingual staff.

CDVSA shall also take reasonable steps to ensure that all staff or contracted personnel who serve as translators are briefed by CDVSA staff on the context and intended audience for the translated text. For example, CDVSA may elect to provide guidance with respect to style, technical word choice, phrasing, or reading level depending on the context or target audience.

CDVSA staff shall create a policy to ensure that CDVSA staff and CDVSA grantees do not use family members (including children), neighbors, friends, acquaintances, and bystanders to provide language assistance services. Using family, friends, or bystanders could result in a breach of confidentiality, a conflict of interest, or inadequate interpretation.

## **h. Translation of CDVSA Materials**

### **Translating Vital Documents**

CDVSA prioritizes translation of vital documents. Classification of a document as “vital” depends upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

Essentially, there are two distinct types of vital documents – those that are meant for the general public or a broad audience, and those that are specific communications regarding a case or matter between an individual and CDVSA.

Documents that may be considered “vital” may include, but are not limited to, certain:

- Program brochures;
- Agency information and referral;
- Public service announcements;
- Education/Prevention materials;
- Public outreach materials (including web-based material);
- Complaint forms; and
- Notices regarding the availability of language assistance services provided by CDVSA at no cost to LEP individuals.

To ensure greater certainty of compliance with Title VI of the Civil Rights Act, CDVSA shall use the “safe harbor” requirement of providing:

- Written translations of vital documents for each LEP language group that constitutes 5% or 1,000 persons, whichever is less, of the population served.
- If fewer than 50 persons in an LEP language group are 5% of the population served, in lieu of translated written materials, CDVSA may provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

### **Translating the Department’s Web Content**

CDVSA shall take reasonable steps to translate public website content and electronic documents that contain vital information about agency programs and services. CDVSA shall identify the appropriate languages for translation and shall determine which electronic documents contain vital information. Translations of web content may include web pages that contain important information intended for the general public, such as information about CDVSA’s mission, services, and federally funded grantees. CDVSA shall translate current website vital information about CDVSA programs and services into eight of the top requested languages statewide in Alaska including: Spanish, Tagalog, Korean, Russian, Hmong, Samoan, Yup’ik and Chinese.

## **i. Multilingual Staff**

CDVSA multilingual staff that have passed language proficiency assessments and

undergone interpreter training may provide “in-language” assistance to LEP individuals. CDVSA staff shall not act as interpreters with outside agencies and shall utilize trained and qualified interpreters when necessary. Examples of appropriate assistance by CDVSA multilingual staff include but are not limited to:

- Providing resource information to the LEP caller or walk-in; and
- Providing referral to the LEP caller or walk-in.

**j. Monitoring and Updating the CDVSA Language Access Plan**

CDVSA shall periodically reassess and, where appropriate, update their language access plans to ensure that the scope and nature of language assistance services provided under the plan reflect updated information on relevant LEP populations, CDVSA language assistance needs, changes in technology, and CDVSA staff experience under the plan. Further, CDVSA shall take reasonable efforts to ensure that its in-house and contract language services directory of translated documents, signs, and web-based services meet current language needs within Alaska.

Every year, CDVSA shall assess the effectiveness of component language assistance services by, among other things, conducting an inventory of languages most frequently encountered, identifying the primary channels of contact with LEP community members (whether telephonic, in person, correspondence, web-based, etc.), reviewing CDVSA programs and activities for language accessibility, reviewing plans and protocols, reviewing the annual cost of translation and interpreter services, and consulting with outside stakeholders.

**k. Complaint Procedures**

1. Any individual has a right to file a complaint with CDVSA where they believe that CDVSA did not provide necessary language access services as appropriate, and shall be provided with a CDVSA complaint form. CDVSA complaint form shall be posted on-line. The language access coordinator shall take reasonable steps to inform LEP individuals and stakeholders about the availability of complaint forms and shall ensure that the complaint process is meaningfully accessible to LEP individuals.
2. All complaints, alleging a violation under Title VI shall be referred to the language access coordinator:

L. Diane Casto, MPA  
Executive Director  
Council on Domestic Violence & Sexual Assault  
(907) 465-4356 main  
(907) 465-3627 fax  
[diane.casto@alaska.gov](mailto:diane.casto@alaska.gov)  
<https://dps.alaska.gov/CDVSA/Home>

**Mailing Address:**

State of Alaska Department of Public Safety  
Council on Domestic Violence & Sexual Assault  
PO Box 111200  
Juneau, AK 99811-1200

3. The CDVSA Language Access Coordinator shall investigate whenever they receive a complaint, report, or other information that alleges or indicates possible noncompliance with Title VI of the Civil Rights Act. If the investigation results in a finding of compliance, the coordinator shall inform the LEP individual in writing of this determination, including the basis for the determination. However, if a case is fully investigated and results in a finding of non-compliance, the coordinator shall inform the LEP individual of the non-compliance through a Letter of Findings that sets out the areas of non-compliance and the steps that shall be taken to correct the non-compliance.
4. If the LEP individual is not satisfied with the findings they may appeal to the Alaska State Commission for Human Rights (see contact information below) and/or also file a complaint with the U.S. Department of Justice, Civil Rights Division.

Alaska State Commission for Human Rights  
800 A Street, Suite 204  
Anchorage AK 99501-3669  
907-274-4692 (Anchorage Area)  
800-478-4692 (Toll-Free)  
<http://humanrights.alaska.gov>

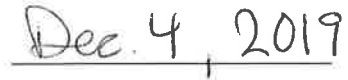
U.S. Department of Justice, Civil Rights Division-  
<https://www.justice.gov/crt/how-file-complaint>

5. Language access coordinator shall maintain a database tracking all complaints and their resolution. The database shall include the following items:
  - Source of complaint
  - LEP request including relevant contact information
  - Nature of complaint
  - Date complaint/request received
  - Date complaint/request resolved
  - Manner of resolution
  - Comments

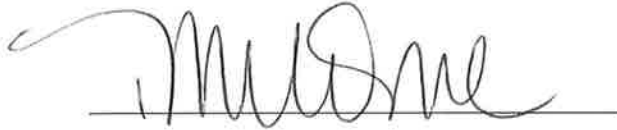
SIGNATURE PAGE



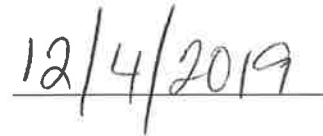
L. Diane Casto, MPA  
Executive Director  
Council on Domestic Violence & Sexual Assault



Date



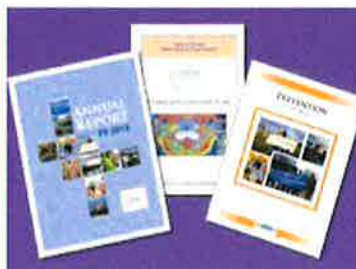
Teresa Lowe  
Board Interim Chair  
Council on Domestic Violence & Sexual Assault



Date



Alaska's Council on  
Domestic Violence  
& Sexual Assault



## LANGUAGE ACCESS PROCEDURES

### WALK-IN

1. Identify language spoken by showing the "I Speak" Language Identification Guide.
2. Speak directly to the person in that language or find a multilingual staff member who speaks that language.

#### CDVSA Multilingual Staff

Language	First Name	Last Name	Phone Number

3. Call 907-297-2760 or log on to [lic.interpretmanager.com](http://lic.interpretmanager.com) with AIJ Language Interpreter Center to request an interpreter.
4. Call Telelanguage if AIJ Language Interpreter Center does not have resources needed. The telephone number is 800-514-9237, access code is \*\*\*\*, and department is CDVSA.

### TELEPHONIC

1. Ask person what language they are speaking.
2. Speak directly to the person in that language or find a multilingual staff member who speaks that language.
3. Call 907-297-2760 or log on to [lic.interpretmanager.com](http://lic.interpretmanager.com) with AIJ Language Interpreter Center to request an interpreter.
4. Call Telelanguage if AIJ Language Interpreter Center does not have resources needed. The telephone number is 800-514-9237, access code is \*\*\*\*, and department is CDVSA.

### HARD-OF-HEARING OR DEAF

1. Hand person card: "How can I help you?" Exchange notes to find out the purpose of the visit.
2. Ask the person what accommodations are needed to provide effective communication.
3. If an interpreter is requested, ask if they have a preferred interpreter.
4. Call the preferred interpreter or a sign language interpreter if requested.
  - RNR Interpreting: 907-317-2235 or [www.akrnr.com](http://www.akrnr.com)
  - Relay Service (statewide): 7-1-1 or 1-800-770-8973

### FUNDING FOR INTERPRETERS/TRANSLATORS

All CDVSA staff shall be responsible for ensuring that CDVSA takes reasonable steps to provide meaningful access for LEP persons to all federally funded programs and activities. CDVSA shall notify limited- English- proficient walk-in or caller that CDVSA shall provide access to free language access services for persons contacting the CDVSA office who cannot afford to pay for those services.

