



Language Access

METROPOLITAN NASHVILLE-DAVIDSON COUNTY
2021

Goals

- Establish guidelines for Metro Nashville personnel to ensure equitable services to and effective communication with individuals identified as linguistic minorities
 - those whose primary language is not English, and who have limited or no ability to speak, read, write, or understand English.
 - including communities traditionally identified as Limited English Proficient (LEP) and the Deaf or hard of hearing
- Provide guidance and technical assistance to departments in creating and implementing workable language access plans

Authority

Section 601 of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d)

Executive Order 13166

Americans with Disabilities Act of 1990

Authority

Title VI compliance
is led by the Metro
Human Relations
Commission

ADA compliance is
led by General
Services

What is required?

Under Title VI, constituents who are Limited English Proficient must have “meaningful access” to Metro programs, benefits, and services.

Under Title II of the ADA, all state and local governments are required to take steps to ensure that their communications with people with disabilities are as effective as communications with others.

What is required?

Language assistance can be provided in a variety of ways:

- multilingual staff
- in-person interpreters
- telephone interpreters
- sign language interpretation; and
- written translation.

Metro has contracts with vendors to provide many of these services.

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.

DEAF

Capital “D” Deaf refers to individuals and communities that identify with Deaf culture and American Sign Language. Lower case “d” deaf refers to the condition of hearing loss.

Definitions and Terms

EFFECTIVE COMMUNICATION

Written or spoken information must be as clear and understandable to people with disabilities as it is for people who do not have disabilities.

MEANINGFUL ACCESS

Language assistance that results in accurate, timely, and effective communication with the 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.

Definitions and Terms

INTERPRETER

An individual who converts information from one spoken language to another spoken or sign language.

TRANSLATOR

An individual who converts written documents from one language to another.

VITAL DOCUMENTS

A document will be considered vital if it contains information that is critical for obtaining services and/or benefits or is required by law.

Definitions and Terms

Best Practices

- DEPARTMENTAL ASSESSMENT
- STANDARD OPERATING PROCEDURES
- STAFF TRAINING
- GRIEVANCE PROCEDURES
- TITLE VI REPORT

DEPARTMENTAL ASSESSMENT

- All departments should conduct a regular review of current language access policies, language needs and the populations that they serve.
 - changes in demographics, types of services or other needs that may require reevaluation of policy and procedure
- Assessments will be used for the creation and annual update of language access plan
- A self-assessment instrument will be included in the Toolkit.

STANDARD OPERATING PROCEDURES

Departments should have written SOPs that include:

- Instructions for staff on how to:
 - access language assistance services when responding to constituents in person, on the phone, and in writing.
 - collect data related to language assistance services requested and provided
- A method for identifying vital documents and translating them in the most frequently encountered languages
- Policies that ensure new staff are aware of the procedures and properly trained
- Policies that ensure procedures for requesting and accessing language assistance are communicated to constituents

STANDARD OPERATING PROCEDURES

- Staff cannot rely on an accompanying adult of an individual who is Deaf or hard of hearing to interpret except in emergency situations where:
 - there is an imminent threat to the safety or welfare of the individual or the public, and no interpreter is available, OR
 - when the individual requests the accompanying adult interpret, the accompanying adult agrees, and it is appropriate under the circumstances.
- Staff cannot rely on a minor to interpret except in an emergency involving an imminent threat to the safety or welfare of an individual or the public and where no interpreter is available.

STAFF TRAINING

- All new and existing staff should be trained on SOPs.
- Public-facing staff should be trained in effective communication techniques, including how to conduct an initial assessment to determine a constituent's language needs, and how to work with interpreters (both in-person and over the phone).
- Bilingual staff and in-house interpreters should be given an interpreter assessment, provided by a Metro vendor to assess competency.

GRIEVANCE PROCEDURES

- A complaint regarding the inadequate provision of language assistance may be made in person, over the phone, or in writing to the department in question, the Metro Human Relations Commission, or the ADA Coordinator for Metro.
- Departments may have their own grievance form and process or may advise constituents to file their complaint with the Metro Human Relations Commission.

TITLE VI REPORT

Departmental assessments and SOPs will be included as part of annual Title VI reporting (due to Human Resources in May), along with a language access plan detailing how departments will meet language access goals

WHAT'S NEXT?

Resource Guide and Toolkit

- In the next two weeks
- Questions, concerns, needed guidance?
- Volunteers for vetting

A second training that concentrates on ADA requirements

Technical assistance in developing workable SOPs



Need help?

Contact our Director of Community Engagement

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