

# STATEWIDE LANGUAGE SURVEY AND IMPLEMENTATION PLAN



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**2016-2017**

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## REPORT TO THE GOVERNOR AND THE LEGISLATURE



# **LANGUAGE SURVEY AND IMPLEMENTATION PLAN**

**2016-2017**



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**December 2018**

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## INTRODUCTION

### Executive Summary

This report to the Governor and the Legislature has been prepared by the California Department of Human Resources (CalHR) pursuant to Government Code section 7299.6. The data presented is intended to aid executives in each state agency, department, board, and commission (agency) in planning the delivery of services to the limited-English proficient population of California. The number of Californians age five and over who spoke a language other than English in 2016 is estimated to have been 16.3 million,<sup>1</sup> up from 15.9 million in 2014.<sup>2</sup> Approximately 44.5 percent of Californians speak a language other than English in the home, up from 43.9 percent in 2014.

This report summarizes the 2016 Statewide Language Survey results and subsequent 2017 Implementation Plans that document how each agency provides services to its limited-English proficient clients and addresses identified language needs.

- The survey shows that during the survey period state agencies had available bilingual staff in about 75% of cases in which the public need for bilingual services was substantial.
- About 90% of bilingual resources state agencies had available during the survey period were in offices in which the percentage of limited-English-proficient contacts in the respective languages did not meet the legal definition of “substantial population.”
- In the majority of cases, identified actual position deficiencies have been corrected.
- A total of 59 agencies participated in the language survey (Exhibit A). This is two more than participated in the 2014 Language Survey.
- A total of 23 agencies participated in the implementation plan (Exhibit C). This is an increase of 6 agencies (35 percent) from the 17 agencies that participated in the 2015 Implementation Plan.
  - Four agencies that should have completed the implementation plan were non-compliant. CalHR is working with each of these agencies to bring about their compliance during the 2018-2019 cycle currently under way.

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<sup>1</sup> U.S. Census Bureau. (2016), Public Use Microdata Samples, 2016 American Community Survey 1-Year Estimates.

<sup>2</sup> U.S. Census Bureau. (2014), S1601-Language Spoken at Home: 2014 American Community Survey 1-Year Estimates.

- Ninety-five agencies have applied for and been granted exemption from participating in the language survey and implementation plan (Exhibit B). By comparison, this is an increase of 5 agencies (6 percent) from the 90 agencies that were exempted from the 2014 Language Survey. In accordance with the Act, exemptions are granted for up to five survey cycles.
- A total of 4,328,926 public contacts were recorded during a 10-day survey period. This represents a decrease of 52,362 public contacts (11.9 percent) from those reported in the 2014 Language Survey.
- There are 7,632 certified bilingual positions allocated within the 59 reporting agencies (Exhibit D). This represents a 59 position decrease (0.8 percent) from the 2014 Language Survey.
- One hundred nine non-English languages were identified during the language survey period. This is eleven more than reported in the 2014 Language Survey.
- Whenever possible deficiencies are indicated, agencies conduct analyses of survey findings according to specific circumstances to determine whether actual staffing deficiencies exist (Exhibit F).

## Background

The 1973 Dymally-Alatorre Bilingual Services Act (Act) requires each agency<sup>3</sup> that provides public services, except the State Compensation Insurance Fund, to employ bilingual employees when a substantial portion of its clients are limited-English proficient. In 1977, the Act was amended to require that materials explaining services in English be translated into languages spoken by a substantial number of the limited-English proficient served population. “Substantial” is defined as 5 percent of the population served by any local office or facility of an agency (Gov. Code, § 7896.2); however, the Act also specifies that “the percentage arrived at [is rounded] to the nearest whole percentage point” (Gov. Code, § 7299.4 subd. (a) (11)). This sets at 4.5 percent the standard for determining the number of bilingual contacts required to establish bilingual positions and translate written materials. Additionally, where an office “employs the equivalent of 25 or fewer regular, full-time employees,” it may depend on interpreters rather than bilingual employees, or may substitute qualified bilingual persons in place of translated written materials (Gov. Code, § 7296.4).

In 2002, the Act was amended to require agencies to document both procedures to meet language needs as well as plans to address deficiencies

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<sup>3</sup> as defined in Government Code, section 11000

and complaints in providing service to agencies' limited-English proficient clients. In 2012, the Act was amended once again to transfer oversight responsibility from the State Personnel Board to the newly-formed California Department of Human Resources (CalHR). In 2013, it was amended to allow agencies to request an exemption for a maximum of five survey cycles as well as to move policy-related questions from the implementation plan phase to the language survey.

Most recently, in 2014 the act was amended to add these requirements of agencies meeting the five percent threshold:

- Make written materials or translation aids available in offices that perform statewide functions as well as in offices that serve local communities,
- Make available on their homepages complaint forms and processes for submitting complaints alleging violations of the Act, and
- Provide CalHR with detailed descriptions of the language access complaints they receive.

CalHR is required to inform agencies of their responsibilities under the Act and provide technical assistance and monitor compliance. Agencies are required to conduct a biennial language survey of each of their local offices that serves the general public, and to report to CalHR the number of bilingual employees in public contact positions including the language in which they are certified, the number of bilingual staff needed, and the number and percentage of limited-English proficient clients served by the agency. The Act defines a "public contact position" as "a position determined by the agency to be one which emphasizes the ability to meet, contact and deal with the public in the performance of the agency's functions."

Relating to the language survey, the Act further requires each agency to analyze the survey results to determine whether identified deficiencies are actual deficiencies;<sup>4</sup> identify the anticipated number of vacancies that could be filled with certified staff to correct actual deficiencies; submit a bilingual services policy signed by the director that outlines the agency's commitment to comply with the Act and that identifies bilingual services available to the agency's limited English proficient clients; and lastly, provide a list of written materials that are required to be translated or otherwise made accessible.

CalHR has authority to grant agencies exemptions<sup>5</sup> from participating in the language survey and implementation plan for a maximum of five survey cycles. To qualify, an agency must certify one of the following: its primary mission does not include responsibility for furnishing information or rendering services to the

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<sup>4</sup> The Language Survey and Implementation Plan online system carries out a computation to determine whether staffing levels are sufficient to provide service; however, it does not take into account that units of fewer than 25 employees are allowed to provide service through qualified interpreters rather than through bilingual employees. Raw results of the calculation thus identify deficiencies where they do not truly exist.

<sup>5</sup> Government Code, section 7299.5.

public; or it has consistently received such limited contact with the non-English speaking public that it has not been required to employ bilingual staff,<sup>6</sup> and it employs fewer than the equivalent of 25 full-time employees in public contact positions. The Act specifically exempts from its provisions the State Compensation Insurance Fund.

## Improvement Activities

In 2015, CalHR updated the Language Survey and Implementation Plan online system to accept agency reports of language complaints per statutory amendments.

CalHR is currently reviewing the Bilingual Services program as a whole to identify and put into place improvements to employee language fluency testing and tracking.

- Under Government Code section 7296 (a) (2), CalHR approved three new testing authorities to increase testing capacity and reduce wait-times for certification. Each of these vendors offers scoring according to the Federal Interagency Language Roundtable scale, creating a standard frame of reference for test results.
- CalHR staff is participating with SEIU 1000, as per ratified Memoranda of Understanding, in conducting a joint study to examine the delivery of bilingual services. Recommendations developed as a result of the study may include additional improvements.

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<sup>6</sup> Government Code, section 7292.

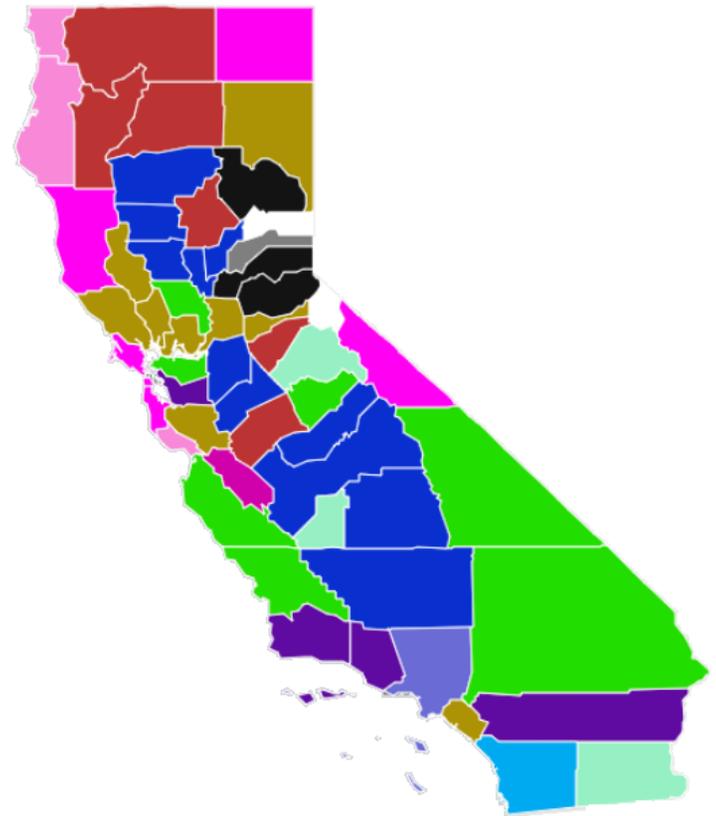
To evaluate 2016 State Language Survey findings, CalHR has mapped by county the top non-English non-Spanish languages identified in the survey against those reported in Federal Census Bureau 2016 American Community Survey estimates. Except where stated, Spanish was consistently the second most spoken language.

Top Non-Spanish Non-English Census Bureau Estimate, 2016 American Community Survey



The American Community Survey reported more limited English proficient Cantonese than Spanish speakers in San Francisco County.

Top Non-Spanish Non-English Contact Language, 2016 State Language Survey



The State Language Survey identified more Hmong than Spanish public contacts in Trinity County.

American Sign Language	
Arabic	
Armenian	
Cantonese	
Chinese	
Dutch	
German	
Greek	
Gujarati	
Hmong	
Italian	
Japanese	
Khmer	
Korean	
Mandarin	
None Reported	
Other Specified North American Indian Languages	
Portuguese	
Punjabi	
Russian	
Samoan	
South/Central American Indian Languages	
Tagalog	
Vietnamese	

Only ten of the 58 counties had identical language outcomes between the two datasets; however, there are a number of large language communities spanning multiple counties that are prominent in both datasets despite variance in the specific counties highlighted: in particular, these are Chinese (including both Mandarin and Cantonese), Hmong, Punjabi, and Vietnamese. The Portuguese-speaking community in Kings County is also identified in both datasets.

The Federal data identifies Native American language communities that are not apparent in the state survey. This may be due in part to grouping of multiple languages as “Indian Languages” and may also reflect specific policy-related patterns. For instance, registered tribal members do not require state licensing to operate motor vehicles on reservations, so the numbers visiting DMV offices may be lower than among other groups.

State data, in contrast, shows the presence of tourists that are not counted in the federal estimates: German speakers on the coast, Italian and Russian in the Sierra foothills. Also, while Federal data does not include American Sign Language (ASL), ASL is prominent in a number of counties within the state data. This is in part attributable to schools for the deaf run by the Department of Education.

A number of other languages appear on one map or the other but not both: a Samoan community in the far north, the extensive Tagalog community in the North Bay, Khmer in Stanislaus, Greek in Madera, Japanese in San Benito, Korean in Monterey and Imperial, Arabic in San Diego, Armenian in Los Angeles, Gujarati in San Luis Obispo, and Dutch in Alpine. Although not in every case, in general these languages are present in both data sources even though not as the largest non-English non-Spanish language in both.

## LANGUAGE SURVEY

This section provides an overview of the process CalHR uses to gather the language survey data and findings. When an agency's language survey results indicate language deficiencies, the agency must consider whether available bilingual resources besides certified bilingual public contact staff suffice to mitigate these identified staffing deficiencies.

### Procedures

Each agency must complete and submit a language survey every even-numbered year by October 1 unless it petitions for and is granted an exemption by CalHR. The following provides an overview of the process.

- CalHR updates Language Survey and Implementation Plan (LSIP) On-Line System to reflect changes in reporting requirements that derive from amendments to the Act.

- The updates are tested to ensure functionality and to verify instructions are clear and concise to facilitate successful completion.
- CalHR develops and provides training to agency Language Survey (LS) Coordinators in the automated language survey and implementation plan online system used to report survey results:
  - Power Point modules online,
  - Webinar instruction,
  - Instructional handouts explaining the different components of the language survey, and
  - Monitoring and technical assistance throughout the survey process to respond to any questions and address concerns that may arise during completion of the survey.
- LS Coordinators train public contact staff participating in the language survey.
- The survey takes place over 10 days identified by the agency.
- LS Coordinators submit their results.
  - Enter data into the LSIP system,
  - Analyze the data to determine whether potential staffing deficiencies identified by the automated system reflect actual needs,
  - Finalize the process through transmittal of a form signed by the agency director or designee confirming review and approval of the language survey submittal.
- CalHR Evaluates Submissions:
  - To gain insight into the statewide level of service provided to California's limited-English proficient (LEP) population seeking state services,
  - To assist agencies in resolving identified deficiencies
    - In bilingual staffing
    - In written document translations
- Each agency which has unresolved deficiencies remaining must draft a corrective Implementation Plan in the subsequent year.

## Findings

The major findings of the 2016 language survey are as follows:

### Public Contacts

For purposes of the survey, a “public contact” is the following:

- A person-to-person written or verbal contact.
  1. Related to the performance of the agency’s function.
    - Does not include contacts originating from these sources:
      - Another state agency
      - An entity contracted to the agency conducting the survey.
    - 2. Seeking information that may not be directly related to the agency’s primary function.
      - Press inquiries
      - Private businesses seeking partnership opportunities.
- A total of 4,328,926 public contacts were reported by the 59 agencies that participated in the ten day language survey.
  - The total number of public contacts reported decreased 1 percent from 4,381,288 in 2014.
  - Persons who were identified as non- or limited-English speaking in 2016 constituted 607,849 contacts (14.0 percent), increasing from 572,156 (13.1 percent) in 2014.
- Spanish remains the dominant non-English language.
  - There were 499,563 Spanish public contacts recorded.
    - Spanish contacts were 11.5 percent of total public contacts.
    - Spanish contacts were 82.2 percent of non-English contacts.

These were the other non-English language contacts:

<b>Language</b>	<b>Contacts</b>	<b>Percentage of Non-English Speaking Contacts</b>
American Sign Language	16,743	(2.8 percent)
Mandarin	14,701	(2.4 percent)
Vietnamese	13,935	(2.3 percent)
Cantonese	10,500	(1.7 percent)
Armenian	8,495	(1.4 percent)
Tagalog	6,417	(1.1 percent)
Korean	5,457	(0.9 percent)
Punjabi	4,928	(0.8 percent)
Arabic	4,116	(0.7 percent)
Farsi	3,517	(0.6 percent)
Russian	3,405	(0.6 percent)
Hindi	2,420	(0.4 percent)
86 other languages	13,652	(2.2 percent)

*Table 1 - Public Contact Statistics*

<b>Description</b>	<b>2014 No.</b>	<b>2014 percent</b>	<b>2016 No.</b>	<b>2016 percent</b>
English Contacts	3,809,132	86.9 percent	<b>3,721,077</b>	<b>86.0 percent</b>
Non-English Contacts	572,156	13.1 percent	<b>607,849</b>	<b>14.0 percent</b>
Total Public Contacts	4,381,288	100 percent	<b>4,328,926</b>	<b>100 percent</b>

The Act requires that substantial populations of non-English speakers be provided the same level of service in a state office as is available in English, and it defines “substantial” as being 5% or more. There were 28 languages meeting this threshold in at least one state office. This table shows by language the number of offices meeting threshold and the number of public contacts in those offices during the 2016 language survey.

Threshold Language Contacts in Offices Meeting Threshold

Language	Number of Offices	Language Contacts
Albanian/Gheg/Tosk	1	4
American Sign Language	16	14943
Arabic	6	222
Armenian	5	4712
Cantonese/Yue	12	1956
Chinese (WRITTEN)	2	7
Danish	2	6
Farsi	6	388
French	4	333
German	4	441
Hindi	4	49
Hmong	4	42
Hungarian	1	2
Indonesian	1	2
Italian	1	718
Japanese	3	4
Kamviri	1	1
Korean	5	322
Mandarin	13	4984
Portuguese	8	411
Punjabi/Panjabi	14	1303
Romanian	1	2
Russian	5	326
Spanish	1135	481945
Tagalog	9	513
Tamil	1	4
Turkish	1	1
Vietnamese	15	3576
<b>Total</b>		<b>517217</b>

The Act requires that if one of an agency's offices meets threshold in a non-English language, the agency must translate and distribute any written materials used in the threshold office to all its offices. This table shows each language for which one or more offices meets threshold statewide, the number of non-threshold offices with contacts in that language, and the number of public contacts with speakers of that language reported in those offices during the 2016 language survey. (Although Kamviri met threshold, the office in which it met threshold had the only reported contact statewide. Because it had no contacts in non-threshold offices, it is not on this list.)

Threshold Language Contacts in Non-Threshold Offices

Language	Count of Offices	Language Contacts
Albanian/Gheg/Tosk	4	4
American Sign Language	278	1800
Arabic	351	3894
Armenian	186	3783
Cantonese/Yue	442	8544
Chinese (WRITTEN)	22	141
Danish	5	35
Farsi	257	3129
French	173	1501
German	139	1472
Hindi	262	2371
Hmong	113	957
Hungarian	10	16
Indonesian	17	36
Italian	96	482
Japanese	230	1584
Korean	384	5134
Mandarin	492	9716
Portuguese	193	1368
Punjabi/Panjabi	297	3625
Romanian	72	303
Russian	326	3079
Spanish	716	17616
Tagalog	428	5902
Tamil	7	14
Turkish	28	72
Vietnamese	528	10359
<b>Total</b>		<b>86937</b>

There were 81 languages in which contacts were reported during the 2016 language survey that did not meet threshold in any office.

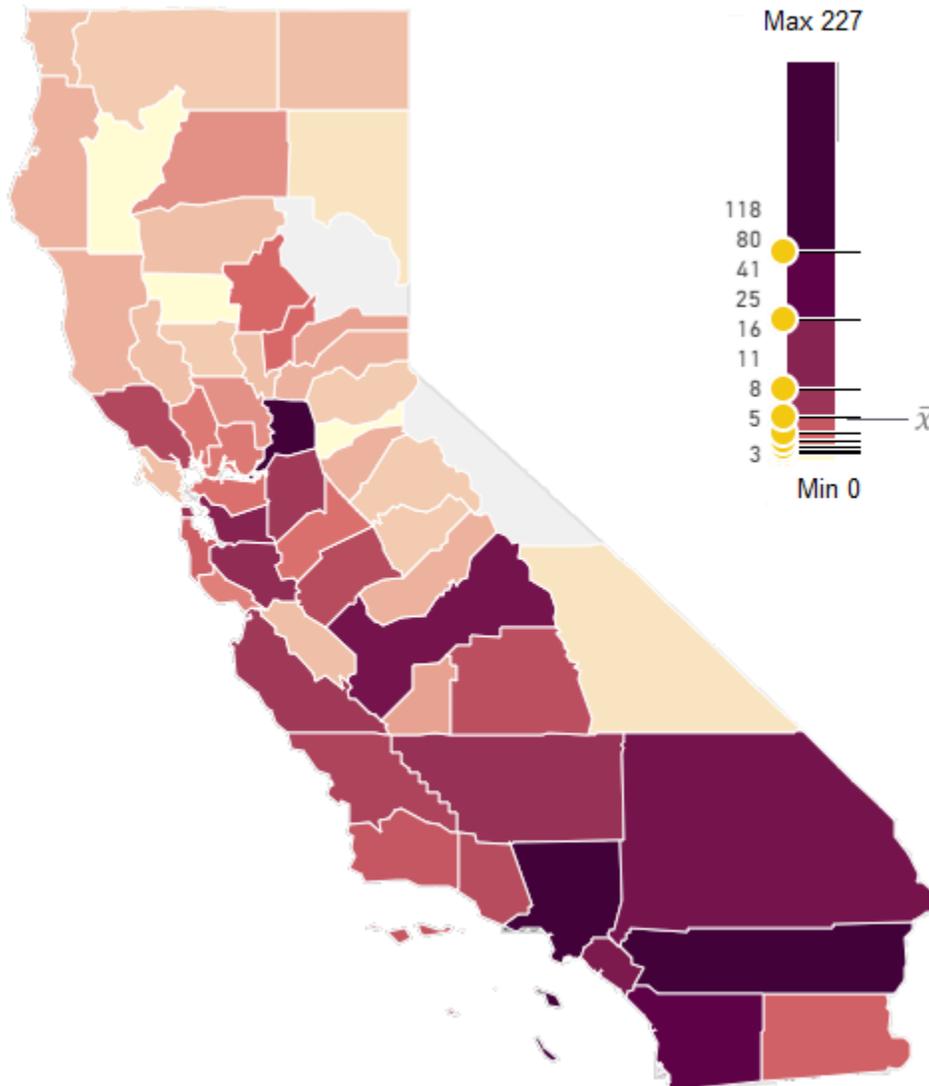
## Non-Threshold Language Contacts Above 10

Language	Language Contacts
Cambodian/Khmer	602
Dutch	474
Thai	461
Lao/Laotian	371
Hebrew	324
Somali	262
Amharic	152
Urdu	131
Polish	120
Swedish	82
Bengali	59
Burmese	45
Ukrainian	42
Braille	40
Mien	39
Mixtico	29
Pashto/Pushto/Afghani	29
Pampangan	26
Czech	22
Yoruba	22
Samoan	21
Tongan	21
Greek	19
Gujarati	18
Telugu	18
Nepali	17
Ilocano	16
Serbian	15
Ibo/Igbo	14
Mongolian/Halh	14
TTY/TDD/Relay Services	13
Bulgarian	12
Norwegian	12
Afrikaans	11
Dari	11
Navajo	11
<b>Total</b>	<b>3575</b>

## Non-Threshold Language Contacts 10 and Below

Language	Language Contacts
Croatian	10
Swahili	10
Romani	9
Cebuano	8
Assyrian/Lishana	7
Taiwanese	7
Tigrigna	7
Welsh	4
Amis Taiwanese	3
Hawaiian/Hawaiian Pidgin	3
Jamaican Krio/Creole	3
Kannada	3
Lingala	3
Sinhala	3
Yiddish	3
Aleut	2
Bosnian	2
Creole/Kreyol	2
Fijian	2
Finnish	2
Gaelic/Irish	2
Marshallese	2
Slovenian	2
Uzbek/North/Osбек	2
Basque	1
Efik	1
Kurdish	1
Lahu	1
Lithuanian	1
Malay	1
Malayalam	1
Sanskrit	1
Toishan	1
Visayan	1
Zapotec	1
<b>Total</b>	<b>112</b>

Instances by County in which a State Office Met Threshold in 2016



### Public Contact Positions

The Act defines a public contact position as “a position that emphasizes the ability to meet, contact and deal with the public in the performance of the agency’s functions.”

- There were a total of 62,314 public contact employees reported by the 59 participating agencies in 2016.
  - This is a 1.5 percent increase from the 2014 number. (Table 2)
  - Of employees in these positions, 15,228 or 24.44 percent were reportedly bilingual.

A “bilingual person” is proficient in both the English language and a non-English language. The Act requires the employment of “qualified bilingual persons” in public contact positions. A “qualified” person is defined as someone who is certified as proficient in the non-English language by passing a bilingual oral fluency examination administered by either CalHR or another testing authority approved by CalHR.

- State agencies are requested to document employee language fluency certification in CalHR’s Examination and Certification Online System. There are 8,347 employees documented as certified within the system.
- Most bargaining units have memoranda of understanding that specify employees may not be required to provide bilingual services unless they are receiving bilingual pay. Currently 8,515 employees receive bilingual pay. SPB has recently begun verification that all employees receiving bilingual pay have certifications on file.

State agencies report bilingual employees speak these languages.

- Spanish: 9,641 (62.8 percent of reported bilingual employees); 6,267 certified
- Tagalog: 1,081 (7.6 percent); 137 certified
- Vietnamese: 609 (4.0 percent); 255 certified
- Cantonese: 583 (3.8 percent); 186 certified
- Mandarin: 571 (3.7 percent); 137 certified
- American Sign Language: 450 (2.9 percent); 276 certified
- Hindi: 300 (2.0 percent); 46 certified
- Punjabi: 218 (1.4 percent); 51 certified
- Russian: 181 (1.2 percent); 39 certified
- Farsi: 154 (1.0 percent); 44 certified

- Korean: 153 (1.0 percent); 49 certified
- Armenian: 148 (1.0 percent); 67 certified
- Hmong: 125 (0.8 percent); 20 certified
- Arabic: 122 (0.8 percent); 12 certified
- 92 other languages (Exhibit D): 1,011 (6.6 percent); 58 certified

In 2016, reported certified bilingual employees in public contact positions numbering 7,632 marked a decrease of 59 positions (0.8 percent) from the 7,691 reported in the 2014 Language Survey.

Just over half of employees who identify as bilingual have not yet been tested to verify qualification. Although in most cases they may not be required to provide bilingual assistance without bilingual pay, they may choose to do so. There were 7,703 non-certified bilingual employees in public contact positions (a 12 percent increase from the 6,842 reported in the 2014 Language Survey).

*Table 2 - Public Contact Positions Statistics*

<b>Public Contact Positions</b>	<b>2014 Number</b>	<b>2014 Percent</b>	<b>2016 Number</b>	<b>2016 Percent</b>
English-Only	45,650	76 percent	<b>46,967</b>	<b>75 percent</b>
Non-Certified Bilingual	6,842	11 percent	<b>7,703</b>	<b>13 percent</b>
Certified Bilingual	7,691	13 percent	<b>7,632</b>	<b>12 percent</b>
<b>Total Public Contact Positions</b>	<b>60,183</b>	<b>100 percent</b>	<b>62,314</b>	<b>100 percent</b>

Bilingual public contact employees are reported as full-time equivalent (FTE), which means that a value of one is equal to 40 work hours per week regardless of the number of employees working. For instance, two employees working half-time would be reported as 1 FTE because the work they perform is equivalent to that of one full time employee.

Comparison Between Contacts and Employees

The below treemaps are visual representations of the proportions of public contacts and public contact employees speaking each language. The color representing each language is consistent across all four graphs. The lower two are detail graphs, showing only the non-English languages. Because the law requires that service in threshold languages be equivalent to that provided in English, we would expect to see the segment for each color on the Employee graph be no smaller than the segment for that color on the corresponding Public Contact graph.

Public Contacts by Language



Public Contact Employees by Language



Non-English Public Contacts by Language

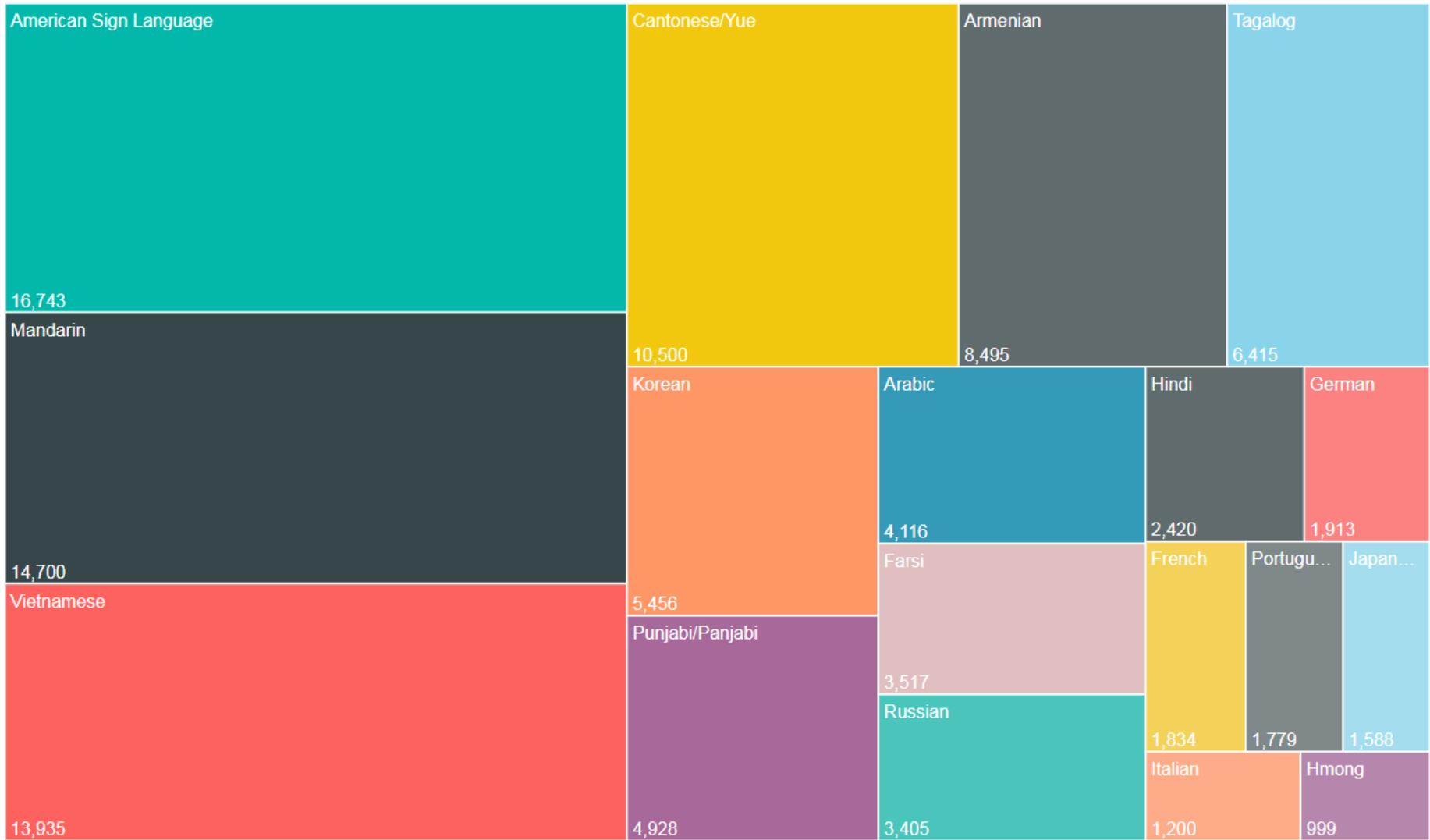


Bilingual Public Contact Employees by Language



The next two pages show labelled treemaps at greater detail for non-English non-Spanish languages that have over 900 public contacts statewide or 50 full-time equivalent employees statewide. Note that American Sign Language (ASL) is unique in that it is used in the Department of Education’s schools for the deaf. The classroom setting allows service provision to a high concentration of ASL speakers simultaneously. The number of contacts in ASL appear high relative to the number of ASL speaking staff due to this density within the classroom setting.

NON-ENGLISH NON-SPANISH PUBLIC CONTACTS BY LANGUAGE WITH OVER 900



NON-ENGLISH NON-SPANISH FULL-TIME-EQUIVALENT EMPLOYEES 50 OR MORE



Public Contact FTE by Language

Language	Language FTE	Language	Language FTE	Language	Language FTE
English	46,376.58	Cebuano	14.10	Bulgarian	3.00
Spanish	9,641.01	Burmese	14.00	Czech	3.00
Tagalog	1,081.49	Pampangan	14.00	Lithuanian	3.00
Vietnamese	609.06	Greek	13.00	Toishan	3.00
Cantonese/Yue	582.98	Hebrew	13.00	Kannada	2.00
Mandarin	571.25	Bisaya	12.50	Romani	2.00
American Sign Language	450.40	Bengali	12.25	Somali	2.00
Hindi	300.16	Turkish	9.00	Uzbek/South	2.00
Punjabi/Panjabi	217.43	Swahili	8.79	Yiddish	2.00
Russian	180.80	Sinhala	8.50	Nepali	1.60
Farsi	153.71	Amis Taiwanese	8.00	Hawaiian/Hawaiian Pidgin	1.50
Korean	153.30	Polish	8.00	Norwegian	1.50
Armenian	147.74	Croatian	7.00	Afrikaans	1.00
Hmong	125.33	Dutch	7.00	Bavarian	1.00
Arabic	121.86	Taiwanese	7.00	Braille	1.00
French	97.65	Tongan	6.50	Chaldean	1.00
Portuguese	69.88	Bosnian	6.00	Chamorro/Guamanian	1.00
German	67.25	Pashto/Pushto/Afghani	6.00	Finnish	1.00
Japanese	59.00	Swedish	6.00	Gaelic/Irish	1.00
Urdu	51.40	Telugu	6.00	Kamviri	1.00
Ilocano	47.00	Fijian	5.00	Konkani	1.00
Cambodian/Khmer	36.48	Malay	5.00	Mongolian/Halh	1.00
Chinese (WRITTEN)	35.50	Malayalam	5.00	Navajo	1.00
Mien	30.50	Danish	4.75	Tigrigna	1.00
Lao/Laotian	28.25	Hungarian	4.58	Visayan	1.00
Samoan	23.95	Creole/Kreyol	4.50	Welsh	1.00
Italian	22.60	Assyrian/Lishana	4.00		
Indonesian	22.00	Marathi	4.00		
Gujarati	21.65	Serbian	4.00		
Ibo/Igbo	19.50				
Ukrainian	19.40				
Thai	19.25				
Amharic	19.00				
Tamil	17.50				
Romanian	17.00				
Yoruba	16.00				

### Bilingual Employees and Threshold Status

In the 2016 survey, agencies reported 965 results in which an office meeting threshold in a non-English language had at least one person on staff claiming knowledge of that language. Agencies also reported 315 results in which an office meeting threshold in a non-English language had no staff claiming knowledge of that language. Thus in 75.4% of cases in which an office met threshold in a language, there was some level of service available in that language via bilingual staff.

Of the 315 cases in which an office met threshold in a language but had no staff speaking that language, 301 (95.6%) reported 25 or fewer full time equivalent public contact staff. According to Government Code section 7296.4, “where the statewide or local office or facility of the state employs the equivalent of 25 or fewer regular, full-time employees, it shall constitute compliance... if a sufficient number of qualified bilingual persons are employed... as qualified interpreters to assist those in those positions.” Agencies are directed to contract with telephonic interpreter services to assist any clients who speak languages that none of the employees in the same office speak.

Although they may be compliant with law, facilities that are dependent on interpreters may in some cases be better served having bilingual employees. For instance, there are 96 CalFire units in Riverside County, in which over a third of the county’s residents speak Spanish at home according to census bureau data. Of the 96 stations, 62 (65%) reached threshold in Spanish. Of these 62, 33 (53%) reported having no Spanish-speaking employees on staff. Typically a fire station has fewer than 25 staff, so language needs could technically be met through an interpreter; however, In an emergency situation the delay inherent to interpretation may not be optimal. When asked whether inability of firefighters to speak Spanish increases the risk they face on the ground, CalFire staff responded that “sometimes a station will borrow a bilingual certified employee from a nearby station.” All ten CalFire deficiencies reported were in Riverside County.

The pattern of non-English language contact for CalFire is unique among state agencies. Although it had only 0.37% of threshold contacts, CalFire met threshold in 22 languages, which is more than any other agency. DMV had the second-highest number of threshold languages with 10; however, DMV received 54.73% of threshold language contacts, with overall contacts in 80 languages. CalFire received contacts in only 33 languages, but non-English contacts reached 5% of total contacts much more frequently in fire stations than in DMV offices. Because of differences in organizational distribution, DMV met threshold in 13% of languages in which it had public contacts while CalFire met threshold in 66% of languages in which it had public contacts.

There are also differences in language distribution based on population served. The Act specifies that legislative intent is “to provide for effective communication between all levels of government in this state and the people of this state....” However, whereas non-Spanish threshold languages for the DMV were

Armenian, Mandarin, Vietnamese, Punjabi, Cantonese, Farsi, and Russian—concentrated in large cities; non-Spanish threshold languages for Parks were Mandarin, Cantonese, Italian, German and French—with highest density in relatively rural coastal and mountain areas. Although there is an overlap of Chinese-speakers, the Western-European languages Parks encounters are not typical outside of this agency, which draws tourists. Parks reports that it was able to meet much of its Spanish demand but that qualified staff has not been on hand to assist speakers of other Western European languages. Because international tourism does not reflect local language communities and tourism patterns may shift, it is not clear that survey results for the Parks Department predict an ongoing need in the same way DMV survey results do. Parks makes up only 2.9% of non-English language contacts but 12% of non-English and non-Spanish threshold language contacts.

In the broader context of state language services, there were 3,729 instances in which an office that did not meet threshold in a language did have some level of service available even with no legal mandate to provide it: there were more than ten times as many cases of an office exceeding minimum requirements to provide good customer service as there were of offices meeting a language threshold requirement having no bilingual employees to provide service.

#### Bilingual Staffing Deficiencies

Of the 59 agencies that participated in the 2016 Language Survey, 51 agencies (86 percent) met the five percent threshold in at least one non-English language.

- Forty-one of the 51 threshold agencies (80 percent) had one or more instances in which the survey data indicated a potential bilingual staffing deficiency.
- Each agency performed an analysis of its findings to determine its actual staffing deficiencies
  - Actual staffing deficiencies totaling 246.82 were identified among 24 agencies in 19 languages (Exhibit F).
  - Mitigating factors cited by the agencies in the analyses included the use of non-certified bilingual staff, an interpreter service, and referral to bilingual staff in neighboring offices.
  - A total of 35 agencies (59 percent) of the 59 agencies that submitted a language survey reported no actual deficiencies (Exhibit G).

Agencies in which deficiencies were found described their plans and timelines to correct the deficiencies. Corrective action plans included, but were not limited to, the following:

- Scheduling non-certified bilingual staff to take the bilingual oral fluency examination.

- Recruiting certified bilingual applicants to fill vacant public contact positions.

### Written Materials Deficiencies

All participating agencies that met the 5 percent threshold in one or more local offices or units in the language survey were required to list the written materials subject to translation under the Act.<sup>7</sup> These written materials include, but are not limited to, applications, brochures, forms, letters, notices, questionnaires, website postings and other media.

- Fifty-one of the 59 agencies that conducted a language survey (86 percent) met the 5 percent threshold in at least one non-English language.

The document tracking function added to the data collection system in 2012 showed some limitations in this, its third usage. The volume of data entered is creating system instability, and recently observed behaviors include the changing of document translation status from what agencies have entered, so the number of translated documents is difficult to verify.

- The system statewide report included only 1,091 documents of the 6,889 resulting from a tally of individual agency submissions.
- An estimated 5,561 written materials (81 percent) have been reported translated, with 1,328 translations still pending.

The system data loss was first identified in preparing this report, but CalHR will continue working with existing submissions to accurately determine document status for the 2018 report.

### Translated Materials Procedures

The Act requires that agencies describe their procedures for identifying written materials that need to be translated in order to meet the language needs of their substantial limited-English-proficient public. Of the 59 agencies participating in the language survey, 47 (80 percent) provided information about their process for identifying written materials that require translation.

Following are examples of how two agencies addressed the document translation requirement of the Act:

- The Franchise Tax Board (FTB) uses business area reports ranking call-in reasons to identify any language barriers. It also analyzes web trend reports, call center surveys and call center requests to identify language needs. It works with the federal Internal Revenue Service and other state agencies to improve language consistency.

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<sup>7</sup> Government Code section 7295.4.

- The Department of Child Support Services uses language survey results to identify which languages meet the 5% threshold, and it routinely translates outreach materials. Upon request, publications can be translated into any language.

#### Identifying Language and Staffing Needs

The Act requires that agencies report to CalHR the procedures they have in place for identifying language needs at statewide and local offices. Of the 59 agencies participating in the language survey, 47 (80%) addressed their procedures for identifying non-English language needs in their offices.

The Act also requires agencies to report procedures for assigning qualified bilingual staff to meet their limited-English proficient clients' needs. There were 46 agencies (78 percent) commented on their efforts.

Following are examples of how two agencies address these requirements of the Act:

- The Department of State Hospitals (DSH) identifies each patient's preferred language upon admission and uses the state language survey data to anticipate trends. DSH maintains a list of certified and uncertified bilingual employees, and when a staffing deficiency is identified DSH consults the list to assign fluency testing or reposition staff as needed.
- The Department of Transportation (CalTrans) performs a four-factor analysis in each district office to identify language needs. Each office considers frequency of contact with non- or limited-English-speaking persons; the importance of the activity, information, service, or program being provided; area demographics according to both 2010 Federal Census data and U.S. Department of Education enrollment data; and the presence of regional community-based organizations associated with particular language groups. In addition to a statewide roster of certified and uncertified bilingual staff, CalTrans district liaisons leverage community organizations to help spread information regionally. A telephonic interpreter service is available to public contact employees in CalTrans offices.

#### Recruiting Qualified Bilingual Staff

The Act requires agencies to report their procedures for recruiting qualified staff to assist with meeting the non-English language needs at local offices.

- There were 47 agencies (80 percent) describing their procedures for recruiting qualified bilingual staff.

Following are examples of how two agencies meet this requirement of the Act:

- The Department of Resources Recycling and Recovery (CalRecycle) pre-determines and approves bilingual positions before applicants are recruited. The job posting clearly states that it is a bilingual position and explains the certification requirement and procedure. CalRecycle verifies bilingual certification prior to appointment to a bilingual position.
- The Department of Public Health uses recruitment events, external advertisements, internet job postings, and the statewide bilingual certification list to recruit qualified bilingual staff.

#### Training Public Contact Staff

The law requires agencies to describe training they provide their public contact staff to ensure they understand their role in providing an appropriate level of language access to limited-English proficient clients. Of 59 participating agencies, 47 (80 percent) addressed this.

Following are examples of how two agencies meet this requirement of the Act:

- The Department of Industrial Relations provides its public contact employees with on-the-job training to use a language identification guide and to contact a certified bilingual staff member or a contracted interpreter service to help members of the public with limited English proficiency.
- The Department of Toxic Substances Control (DTSC) provides its staff with an annual Equal Employment Opportunity training, which includes a component on provision of language to non- or limited-English proficient individuals. In even-numbered years, DTSC gives a dedicated training covering the Bilingual Services Act, department obligations including the survey, and procedures to obtain language services.

#### Language Access Complaint Process

Agencies are required to post on their internet home pages forms and processes for submitting complaints of alleged violation of the act, to explain their procedures for accepting and resolving complaints, and to identify the number and language of complaints since this requirement took effect on January 1, 2015.

- Of agencies completing the language survey, 48 (81 percent) provided CalHR a web link via which complaints could be submitted.
- Forty-seven provided explanations relating to their procedures for accepting and resolving complaints.
- Seven agencies reported at least one complaint.

- The Department of Industrial Relations reported the most complaints with 10, all in Spanish.
- The Department of Motor Vehicles (DMV) reported the second most, with six:
  - One in Korean;
  - One in Mandarin;
  - One in Portuguese;
  - One in Russian;
  - One in Spanish;
  - One in Zapotec.
- The Department of Forestry and Fire Protection reported four:
  - Three in Spanish;
  - One in Vietnamese.
- The Employment Development Department reported two in Spanish.
- The Unemployment Insurance Appeals Board reported one in Mandarin.
- These two agencies each reported one complaint in Spanish:
  - The Department of Housing and Community Development.
  - The Franchise Tax Board.

Following are examples of agency procedures for accepting and resolving complaints alleging violation of the act:

- Individuals alleging a violation of the Act can file with the Employment Development Department electronically online, by mail, fax, in person, or by telephone. The EEO Office receives and processes the language access complaints and identifies the language need. The EEO Office works with the designated EDD Branch point of contact to secure a certified or non-certified employee to assist the complainant in his or her preferred language. The EEO Office follows up with the EDD Branch point of contact to verify that service have been provided successfully and that the complaint is resolved.
- The DMV provides its local offices with procedures designed so that customer inquiries are resolved at the local office level using bilingual employees within the local office, bilingual employees from other offices, or contracted interpreter services to meet the language needs of customers.  
If a customer complaint is not able to be resolved by the local office, the

office will provide the customer with a language access complaint form to be filled out in the language of choice and submitted at the local office or mailed in.

Complaints are routed to the Publishing and Online Information Branch (POIB), which determines the language and routes to the appropriate bilingual employee. The employee translates it into English and then forwards it to the Human Resources Language Services Unit or the Communications Program's Customer Communications Unit as appropriate.

A response is researched, formulated, recommended and approved, then returned to POIB for translation back into the customer's preferred language.

In an effort to assist the public with language access barriers where agency policies fail, CalHR has multi-lingual language access posters that feature a toll-free telephone number and information on the limited-English proficient public's right to request services in their native language. CalHR requires agencies to post this in prominent areas of their public offices. CalHR maintains the toll-free language access complaint number. Members of the public who believe they did not receive adequate bilingual services from a state agency have a recourse to contact CalHR's toll-free line for additional services. Upon receipt of a language access complaint about an agency, CalHR contacts that agency's language survey coordinator and tracks the issue until it is resolved.

During the two calendar years 2016 and 2017, CalHR received a total of 86 calls on the Language Access Complaint Line; however, not all were language access complaints. Twenty-three callers spoke English (34 percent). There were 63 limited-English-proficient callers:

- Spanish, 29
- Korean, 10
- Farsi, 5
- Japanese, 3
- Tagalog, 3
- Vietnamese, 2
- Mandarin, 2
- Cantonese, 1
- Russian, 1
- Punjabi, 1

The language line also supports Arabic and Armenian. Although not supported by our language line, a French-speaker also contacted us and was provided resources to resolve a language barrier in receiving service from another agency.

#### Other Resources Used to Provide Language Services

Agencies were asked to include information about any other resources used to serve the needs limited-English proficient clients. Of 59 participating agencies, 49 (83%) addressed this. Here are some examples of language resources state agencies use:

- Distributing a compiled list of internal bilingual employees.
- Contracting in-person or telephonic interpreter services through a private vendor.
- Contracting translation services through a private vendor or a university.
- Accessing the Registry of Interpreters for the Deaf.
- Using the California Relay Service for the Deaf and Disabled
- Using the CalHR Registered Interpreter list.
- Using the California Judicial Council's Court Interpreter list.
- Soliciting assistance from other state agencies.
- Soliciting assistance from Federal field agents.
- Establishing relationships with community-based organizations that serve LEP populations.
- Accessing automated online translation services.

While automated online translation services should not be relied upon as ultimate translation authorities, using them to provide an initial rough translation prior to human review can be a cost-effective time saver. Additionally, reporting poor translations and making recommendations back to the service contribute to the learning of automated machine translators, which may be expected to play an increasing role in language translation over time both as their accuracy improves and as the demand for translations continues to increase.

#### Compliance with Other State or Federal Language Access Laws

Agencies are asked whether, in addition to the Act, they are subject to other state or federal laws that affect their provision of services to limited-English proficient clients. Of the 59 participating agencies, 47 addressed this question.

One of the challenges relating to provision of bilingual services is that different state agencies are subject to different Federal regulations. While the Language Survey allows for evaluation of compliance with the Act, some agencies must

adhere to stricter Federal standards that the Language Survey does not analyze.

## IMPLEMENTATION PLANS

This section summarizes the process used to gather implementation plans from agencies, and presents an overview of the findings contained in the plans.

### Procedures

Unless specifically exempted by CalHR, each agency for which deficiencies are identified during the language survey must complete and submit an implementation plan to CalHR no later than October 1 of odd-numbered years. The language survey collects information related to the languages spoken by public contacts in agency local offices, bilingual services available to provide an equal level of service, and information related to the services provided to limited-English proficient clients. In contrast, the implementation plan addresses deficiencies in bilingual staffing and written materials translation that were identified in the language survey.

Staffing deficiencies are tabulated according to time base: one deficiency represents one full-time-equivalent (FTE) public contact position, with deficiencies of less than one FTE expressed as partial deficiencies.

### Findings

- Ninety-five agencies (62 percent) were granted exemption from submitting an implementation plan (Exhibit B).
- Of the 59 agencies that completed language surveys, 32 (54 percent) were not required to submit implementation plans because no deficiencies were identified during the language survey.
- Of the 27 agencies required to submit implementation plans, some had staffing deficiencies, and others had document deficiencies.
  - There were 17 agencies that had only staffing deficiencies.
  - Three agencies had only document deficiencies.
  - Seven agencies had both staffing and document deficiencies.

Twenty-three agencies of the 27 (85 percent) submitted implementation plans, and four agencies did not comply in submitting complete plans.

The major findings of agencies' implementation plan submissions are as follows:

### Bilingual Staffing Deficiencies

Twenty-four agencies (a 33 percent decrease since 2014) reported actual bilingual staffing deficiencies totaling 246.82 public contact positions (a 30 percent decrease since 2014) (Exhibit F). In the implementation plan, these agencies reported their progress in addressing these deficiencies.

- Nine of the 24 agencies (38 percent) indicated that they had successfully completed an action plan and corrected all reported actual staffing deficiencies.
- Three additional agencies (13 percent) had corrected some of their bilingual staffing deficiencies.
- Upon completion of the 2017 implementation, 136.12 deficiencies had been reported resolved and 105.83 remained to be addressed.

Four agencies which were required to submit a 2017 implementation plan for resolution of staffing deficiencies did not do so.

- The Department of Transportation identified 4.87 deficiencies during the 2016 language survey.
- The State Council on Developmental Disabilities identified 1.07 deficiencies during the 2016 Language Survey.
- The Department of Veterans' Affairs identified 0.79 deficiencies during the 2016 Language Survey.
- The Department of Forestry and Fire Protection (CalFire) identified 10.00 deficiencies in 2016; however, due to a technical error, CalHR mistakenly issued a finding that CalFire had no deficiencies outstanding.
  - CalFire promptly provided documentation of bilingual resource tracking and improvement plans upon request when CalHR discovered the error in August, 2018.
  - CalHR staff has identified a review methodology to eliminate similar errors in the future.

Agencies that are not currently in compliance are required to report to CalHR at least every six months (Gov. Code, § 7299.4, subd. (f)). In April 2018, six agencies reported resolution of an additional 32.55 deficiencies, including two agencies with no remaining deficiencies. Remaining staffing deficiencies were 73.28 among 13 agencies. The agency with the most reported deficiencies is Food and Agriculture with 26. CalFire reported the second most deficiencies with ten. These two agencies together account for 49% of unresolved 2016 staffing deficiencies.

Food and Agriculture reported in April that it has scheduled bilingual fluency testing for 16 employees to further reduce its deficiencies. Following that testing,

additional reduction of deficiencies is expected to depend upon “filling [with bilingual speakers] employee public contact positions made vacant by retirement or normal attrition” in accordance with Government Code section 7294.

#### Written Materials Deficiencies

All participating agencies that met the 5 percent threshold in one or more local offices or units in the language survey were required to list the written materials subject to translation under the Act.<sup>8</sup> These written materials include, but are not limited to, applications, brochures, forms, letters, notices, questionnaires, website postings and other media.

Fifty-one of the 59 agencies that conducted a language survey (86 percent) met the 5 percent threshold in at least one non-English language, and 6,889 documents have been identified as being subject to translation under the Act.

Although CalHR estimates that 1,328 document translations remain to be carried out, the survey system reported only 681 translation deficiencies during the 2017 Implementation Plan phase, and several agencies which apparently have document deficiencies were unable to enter corrective plans into the system because the system reported that they had no deficiencies.

Although the system is not functioning effectively in document tracking, it is also apparent that agencies are significantly underreporting documents subject to the Act. For instance, the California State Library met threshold in its Law Library, described on its website as an “extensive collection,” yet it identified only four texts as being subject to the Act. According to statute, the entire collection should be translated and distributed through all its offices and facilities as funds permit. Also, because the CalFire office in which the single statewide Kamviri contact was reported had only a total of eight contacts during the survey period, this language exceeds the five percent threshold, so all public documents used by that station are mandated to be translated into Kamviri and be distributed statewide. CalFire did not, however, include Kamviri in the list of required translations. In CalHR’s view, these agencies are nevertheless making “reasonable progress toward compliance” in accordance with Government Code section 7299.4 (g).

## **CONCLUSIONS**

The method of providing customer service has evolved since 1973 with the usage of the internet. The availability of agency information on websites is widespread; however, the survey only measures person-to-person contact. As a result, it is unknown whether the survey provides an accurate measurement of public language support needs.

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<sup>8</sup> Government Code section 7295.4.

The number of position deficiencies has decreased from the 2014-2015 survey cycle even as bilingual public contacts continue to increase and the proportion of employees that are certified bilingual continues to decrease. This suggests that agencies are improving in their allocation of existing resources. CalHR anticipates that its recent policy change is making bilingual certification testing more available to state agencies and that employee certification rates will rise going forward.

CalHR has incorporated certified employee reports into the Examination and Certification Online System (ECOS) and created policy directing state agencies to log all employee test results into this system. With the State Controller's recent announcement that a new unique identifier has been developed for employees, CalHR is exploring ways to use this identifier to match certified bilingual employees against employees receiving bilingual pay differentials both to verify agency compliance and to identify underutilized staff resources.

One hundred nine non-English languages were encountered through the state's 62,314 public contact positions. Spanish continues to be the dominant non-English language with 499,563 contacts. This is 82 percent of non-English contacts and 12 percent of all contacts. There are 7,703 public contact employees who have identified as bilingual but have not yet been tested.

In light of California's continuously increasing language service needs, CalHR has identified program improvements both to better coordinate existing resources and to develop additional untapped opportunities. CalHR's review of its Language Services program is ongoing and is expected to yield meaningful improvements.

### Exhibit A: Agencies Participating in 2016 Language Survey (59)

Language Survey Participating Agencies
Agricultural Association, 22 <sup>nd</sup> District
Agricultural Association, 32 <sup>nd</sup> District
Agricultural Labor Relations Board
Air Resources Board
Alcoholic Beverage Control, Department of
Business and Economic Development, Governor's Office of
Business Oversight, Department of
Child Support Services, Department of
Community Services and Development, Department of
Conservation Corps, California
Consumer Affairs, Department of
Controller, Office of the
Correctional Health Care Services
Corrections, Board of State and Community
Corrections and Rehabilitation, Department of
Developmental Disabilities, State Council on
Developmental Services, Department of
Education, Department of
Employment Development Department
Energy Resources Conservation and Development Commission
Equalization, Board of
Fair Employment and Housing, Department of
Fish and Wildlife, Department of
Food and Agriculture, Department of
Forestry and Fire Protection, Department of
Franchise Tax Board
General Services, Department of
Health Benefit Exchange
Health Care Services, Department of
High Speed Rail Authority

<b>Language Survey Participating Agencies</b>
<b>Highway Patrol</b>
<b>Horse Racing Board</b>
<b>Housing and Community Development, Department of</b>
<b>Housing Finance Agency</b>
<b>Human Resources, Department of</b>
<b>Industrial Relations, Department of</b>
<b>Insurance, Department of</b>
<b>Justice, Department of</b>
<b>Library</b>
<b>Lottery</b>
<b>Managed Health Care, Department of</b>
<b>Motor Vehicles, Department of</b>
<b>Parks and Recreation, Department of</b>
<b>Personnel Board</b>
<b>Pesticide Regulation</b>
<b>Public Employees' Retirement System</b>
<b>Public Health, Department of</b>
<b>Public Utilities Commission</b>
<b>Rehabilitation, Department of</b>
<b>Resources Recycling and Recovery, Department of</b>
<b>Social Services, Department of</b>
<b>State, Office of the Secretary of</b>
<b>State Hospitals, Department of</b>
<b>Toxic Substances Control, Department of</b>
<b>Transportation, Department of</b>
<b>Unemployment Insurance Appeals Board</b>
<b>Veterans Affairs</b>
<b>Victim Compensation Board</b>
<b>Water Resources Control Board</b>

**Exhibit B: Agencies Exempted from Participation  
in 2016-2017 Language Survey and Implementation Plan (93)**

<b>Exempted Agencies</b>
<b>Administrative Law, Office of</b>
<b>African-American Museum, California</b>
<b>Aging, Commission on</b>
<b>Aging, Department of</b>
<b>Alcoholic Beverage Control Appeals Board</b>
<b>Alternative Energy and Advanced Transportation Financing Authority</b>
<b>Arts Council, California</b>
<b>Baldwin Hills Conservancy</b>
<b>Border Relations Council, California</b>
<b>Business, Consumer Services, and Housing Agency</b>
<b>Children and Families First Commission</b>
<b>Citizens Compensation Commission</b>
<b>Coachella Valley Mountains Conservancy</b>
<b>Coastal Commission, California</b>
<b>Coastal Conservancy, State</b>
<b>Colorado River Board</b>
<b>Community Colleges, California</b>
<b>Conservation, Department of</b>
<b>Debt and Investment Advisory Commission, California</b>
<b>Debt Limit Allocation Committee, California</b>
<b>Delta Protection Commission</b>
<b>Delta Stewardship Council</b>
<b>Disability Access, California Commission on</b>
<b>Earthquake Authority, California</b>
<b>Economic Development, Commission for</b>
<b>Education Audit Appeals Panel</b>
<b>Educational Facilities Authority, California</b>
<b>Emergency Medical Services Authority</b>

<b>Exempted Agencies</b>
<b>Emergency Services, California Governor's Office of</b>
<b>Employment Training Panel, California</b>
<b>Environmental Health Hazard Assessment, Office of</b>
<b>Environmental Protection Agency</b>
<b>Fair Political Practices Commission</b>
<b>Finance, Department of</b>
<b>FISCAL</b>
<b>Gambling Control Commission, California</b>
<b>Government Operations Agency</b>
<b>Governor, Office of the</b>
<b>Habeas Corpus Resource Center</b>
<b>Health and Human Services Agency</b>
<b>Health Facilities Financing Authority, California</b>
<b>Health Planning and Development, Office of Statewide</b>
<b>Independent Living Council, State</b>
<b>Industrial Development Financing Advisory Commission</b>
<b>Inspector General, Office of the</b>
<b>Judicial Performance, Commission on</b>
<b>Labor and Workforce Development Agency</b>
<b>Law Revision Commission, California</b>
<b>Legislative Counsel, Office of the</b>
<b>Lieutenant Governor, Office of the</b>
<b>Little Hoover Commission</b>
<b>Mental Health Services Oversight and Accountability Commission</b>
<b>Military Department</b>
<b>Native American Heritage Commission</b>
<b>Natural Resources Agency, California</b>
<b>Peace Officer Standards and Training, Commission on</b>
<b>Pilot Commissioners, Board of</b>
<b>Pollution Control Financing Authority, California</b>

<b>Exempted Agencies</b>
<b>Prison Industry Authority, California</b>
<b>Public Defender, Office of the State</b>
<b>Public Employment Relations Board</b>
<b>Regenerative Medicine, Institute for</b>
<b>Sacramento-San Joaquin Delta Conservancy</b>
<b>San Diego River Conservancy</b>
<b>San Francisco Bay Conservation and Development Commission</b>
<b>San Gabriel Lower Los Angeles Rivers and Mountains Conservancy</b>
<b>San Joaquin River Conservancy</b>
<b>Santa Monica Mountains Conservancy</b>
<b>Scholarshare Investment Board</b>
<b>School Finance Authority, California</b>
<b>Science Center, California</b>
<b>Seismic Safety Commission</b>
<b>Sierra Nevada Conservancy</b>
<b>State Audits, Bureau of</b>
<b>State Lands Commission</b>
<b>State Mandates, Commission on</b>
<b>Student Aid Commission, California</b>
<b>Summer School for the Arts</b>
<b>Systems Integration, Office of</b>
<b>Tahoe Conservancy, California</b>
<b>Tax Credit Allocation Committee, California</b>
<b>Teacher Credentialing, Commission on</b>
<b>Teachers' Retirement System, California State</b>
<b>Technology, Department of</b>
<b>Traffic Safety, Office of</b>
<b>Transportation Agency, California State</b>
<b>Transportation Commission, California</b>

<b>Exempted Agencies</b>
Transportation Financing Authority, California
Treasurer, Office of the State
Uniform State Laws, Commission on
Water Resources, Department of
Women and Girls, Commission on the Status of
Workforce Development Board, California

### **Exhibit C: Agencies Participating in 2017 Implementation Plan (23)**

<b>Implementation Plan Participating Agencies</b>
Air Resources Board
Alcoholic Beverage Control, Department of
Business Oversight, Department of
Conservation Corps, California
Correctional Health Care Services, California
Education, Department of
Employment Development Department
Equalization, Board of
Fish and Wildlife, Department of
Food and Agriculture, Department of
General Services, Department of
Health Care Services, Department of
Horse Racing Board, California
Housing and Community Development, Department of
Human Resources, California Department of
Industrial Relations, Department of

<b>Implementation Plan Participating Agencies</b>
Library, California State
Motor Vehicles, Department of
Parks and Recreation, Department of
Public Utilities Commission, California
Rehabilitation, Department of
Social Services, Department of
Toxic Substances Control, Department of

### Exhibit D: 2016 Reported Bilingual Certified Employees

<b>Language</b>	<b>Number of Certified Employees</b>
American Sign Language	276
Amharic	4
Arabic	12
Armenian	67
Bengali	2
Bisaya	1
Braille	1
Cambodian/Khmer	6
Cantonese/Yue	186
Chinese (written)	2
Creole/Kreyol	1
Farsi	44

<b>Language</b>	<b>Number of Certified Employees</b>
French	8
German	3
Gikuyu/Kikuyu	1
Gujarati	1
Hindi	45
Hmong	20
Ilocano	1
Indonesian	2
Japanese	2
Korean	49
Lao/Laotian	1
Malay	1
Mandarin	137
Pashto/Pushto/Afghani	1
Portuguese	4
Punjabi/Panjabi	50
Romanian	1
Russian	39
Samoan	1
Sinhala	1
Spanish	6,257
Tagalog	137

<b>Language</b>	<b>Number of Certified Employees</b>
Tamil	6
Thai	1
Tongan	2
Ukrainian	1
Urdu	2
Uzbek/South	1
Vietnamese	255
<b>TOTAL:</b>	<b>7,632</b>

### Exhibit E: 2016 Reported Staffing Deficiencies by Language

<b>Language:</b>	<b>Preliminary Deficiency Count:</b>	<b>Actual Deficiency Count:</b>
Albanian/Gheg/Tosk	2.33	0.00
American Sign Language	15.51	13.79
Arabic	6.41	1.87
Armenian	10.98	5.82
Mandarin	10.68	5.28
Cantonese/Yue	3.29	1.23
Chinese (written)	1.87	0.00
Danish	0.48	0.00
Farsi	3.11	0.67
French	4.61	0.41

<b>Language:</b>	<b>Preliminary Deficiency Count:</b>	<b>Actual Deficiency Count:</b>
German	4.36	0.56
Hmong	0.86	0.29
Hindi	7.74	7.29
Hungarian	0.63	0.00
Indonesian	0.05	0.00
Italian	0.92	0.92
Japanese	0.69	0.00
Kamviri	0.29	0.00
Korean	3.47	0.51
Punjabi/Panjabi	12.66	5.47
Portuguese	10.52	4.02
Romanian	0.55	0.00
Russian	1.90	0.80
Spanish	1174.96	233.35
Tamil	0.24	0.24
Tagalog	23.77	16.55
Turkish	0.36	0.00
Vietnamese	5.17	3.17
<b>TOTAL:</b>	<b>1308.41</b>	<b>302.24</b>

**Exhibit F: 2016 Reported Actual Deficiencies by Language by Agency**

<b>Department</b>	<b>Language</b>	<b>Actual Deficiencies</b>
Air Resources Board	Spanish	2.09
Alcoholic Beverage Control, Department of	Korean	0.51
Alcoholic Beverage Control, Department of	Spanish	2.16
Business Oversight, Department of	Spanish	0.28
Conservation Corps, California	Spanish	0.14
Correctional Health Care Services, California	Hindi	7.16
Correctional Health Care Services, California	Portuguese	2.97
Correctional Health Care Services, California	Punjabi/Panjabi	5.01
Correctional Health Care Services, California	Spanish	30.2
Correctional Health Care Services, California	Tagalog	15.08
Developmental Disabilities, State Council on	Spanish	1.07
Education, Department of	American Sign Language	11.64
Education, Department of	Spanish	0.58
Employment Development Department	Spanish	4.11
Equalization, Board of	Spanish	2.83
Fish and Wildlife, Department of	Armenian	0.41
Fish and Wildlife, Department of	Hmong	0.29
Fish and Wildlife, Department of	Mandarin	0.66
Fish and Wildlife, Department of	Portuguese	0.11

<b>Department</b>	<b>Language</b>	<b>Actual Deficiencies</b>
<b>Fish and Wildlife, Department of</b>	Russian	0.37
<b>Fish and Wildlife, Department of</b>	Spanish	9.99
<b>Fish and Wildlife, Department of</b>	Vietnamese	0.53
<b>Food and Agriculture, Department of</b>	Spanish	26
<b>Forestry and Fire Protection, Department of</b>	Spanish	10
<b>General Services, Department of</b>	Spanish	0.25
<b>Health Care Services, Department of</b>	Spanish	1.81
<b>Horse Racing Board, California</b>	Spanish	1.72
<b>Industrial Relations, Department of</b>	Spanish	38.77
<b>Industrial Relations, Department of</b>	Vietnamese	0.85
<b>Motor Vehicles, Department of</b>	Armenian	4
<b>Motor Vehicles, Department of</b>	Farsi	0.67
<b>Motor Vehicles, Department of</b>	Mandarin	2
<b>Motor Vehicles, Department of</b>	Spanish	18.9
<b>Motor Vehicles, Department of</b>	Vietnamese	1.79
<b>Parks and Recreation, Department of</b>	Cantonese/ Yue	1.07
<b>Parks and Recreation, Department of</b>	French	0.41
<b>Parks and Recreation, Department of</b>	German	0.56
<b>Parks and Recreation, Department of</b>	Italian	0.92
<b>Parks and Recreation, Department of</b>	Mandarin	2.62
<b>Parks and Recreation, Department of</b>	Spanish	19.01

<b>Department</b>	<b>Language</b>	<b>Actual Deficiencies</b>
<b>Public Utilities Commission, California</b>	Cantonese/ Yue	0.05
<b>Public Utilities Commission, California</b>	Russian	0.43
<b>Public Utilities Commission, California</b>	Spanish	1.83
<b>Rehabilitation, Department of</b>	American Sign Language	2.15
<b>Rehabilitation, Department of</b>	Spanish	3.59
<b>Social Services, Department of</b>	Armenian	1.41
<b>Social Services, Department of</b>	Portuguese	0.94
<b>Social Services, Department of</b>	Spanish	47.53
<b>Social Services, Department of</b>	Tagalog	0.86
<b>Toxic Substances Control, Department of</b>	Spanish	8.25
<b>Transportation, Department of</b>	Arabic	1.87
<b>Transportation, Department of</b>	Cantonese/ Yue	0.11
<b>Transportation, Department of</b>	Hindi	0.13
<b>Transportation, Department of</b>	Punjabi/Pan jabi	0.46
<b>Transportation, Department of</b>	Spanish	2.06
<b>Transportation, Department of</b>	Tamil	0.24
<b>Veterans Affairs, California Department of</b>	Spanish	0.18
<b>Veterans Affairs, California Department of</b>	Tagalog	0.61
<b>TOTAL:</b>	All Languages	<b>302.24</b>

**Exhibit G: Agencies Reporting No  
2016 Bilingual Staffing Deficiencies (27)**

<b>Agencies with No Deficiencies</b>
<b>22nd District Agricultural Association</b>
<b>Agricultural Labor Relations Board</b>
<b>Business and Economic Development, Governor's Office of</b>
<b>Child Support Services, Department of</b>
<b>Community Services and Development, Department of</b>
<b>Consumer Affairs, Department of</b>
<b>Corrections and Rehabilitation, California Department of</b>
<b>Developmental Services, Department of</b>
<b>Fair Employment and Housing, Department of</b>
<b>Franchise Tax Board</b>
<b>Health Benefit Exchange, California</b>
<b>High Speed Rail Authority, California</b>
<b>Highway Patrol, California</b>
<b>Housing and Community Development, Department of</b>
<b>Housing Finance Agency, California</b>
<b>Human Resources, California Department of</b>
<b>Insurance, Department of</b>

<b>Agencies with No Deficiencies</b>
Justice, Department of
Library, California State
Lottery, California State
Managed Health Care, Department of
Pesticide Regulation, Department of
Public Health, California Department of
Secretary of State
State Hospitals, Department of
Unemployment Insurance Appeals Board, California
Victim Compensation Board, California

### Exhibit H: Summary of Staffing Deficiencies by Agency

<b>Agency</b>	<b>Actual Position Deficiencies</b>	<b>Corrected as of Implementation Plan</b>	<b>Not Yet Corrected</b>
Air Resources Board	2.09	2.09	0
Alcoholic Beverage Control, Department of	2.67	2.67	0
Business Oversight, Department of	0.28	0.28	0
Conservation Corps, California	0.14	0	0.14
Correctional Health Care Services, California	5	0	5
Developmental Disabilities, State Council on	1.07	0	1.07

<b>Agency</b>	<b>Actual Position Deficiencies</b>	<b>Corrected as of Implementation Plan</b>	<b>Not Yet Corrected</b>
<b>Education, Department of</b>	12.22	12.22	0
<b>Employment Development Department</b>	4.11	4.11	0
<b>Equalization, Board of</b>	2.83	1.16	1.67
<b>Fish and Wildlife, Department of</b>	12.36	12.36	0
<b>Food and Agriculture, Department of</b>	26	0	26
<b>Forestry and Fire Protection, Department of</b>	10	0	10
<b>General Services, Department of</b>	0.25	0	0.25
<b>Health Care Services, Department of</b>	1.81	0	1.81
<b>Horse Racing Board, California</b>	1.72	1.72	0
<b>Industrial Relations, Department of</b>	39.62	14.44	25.18
<b>Motor Vehicles, Department of</b>	27.36	12.08	15.28
<b>Parks and Recreation, Department of</b>	24.59	24.59	0
<b>Public Utilities Commission, California</b>	2.31	2.31	0
<b>Rehabilitation, Department of</b>	5.74	0	5.74
<b>Social Services, Department of</b>	50.74	46.09	4.65
<b>Toxic Substances Control, Department of</b>	8.25	0	8.25
<b>Transportation, Department of</b>	4.87	0	4.87
<b>Veterans Affairs, California Department of</b>	0.79	0	0.79