

State of California Language Survey and Implementation Plan Training

Bilingual Services Program



Dymally-Alatorre Bilingual Services Act

- California Government Code Section 7290 Et Seq.
- A free and democratic society depends on the ability of its residents to communicate with their government.
- Every state agency with public contact employees must provide the same level of service as it does in English to all substantial language groups.
 - A group is substantial when it reaches 5% of a unit's contacts, rounded up.
 - Federal Regulations may have lower thresholds for language provisions.
- Language Survey submission due October 1 even-numbered years.
 - Report relevant policies, practices, and public complaints received.
 - Report staff, public contacts, and documents by language.

If Survey Shows Deficiencies

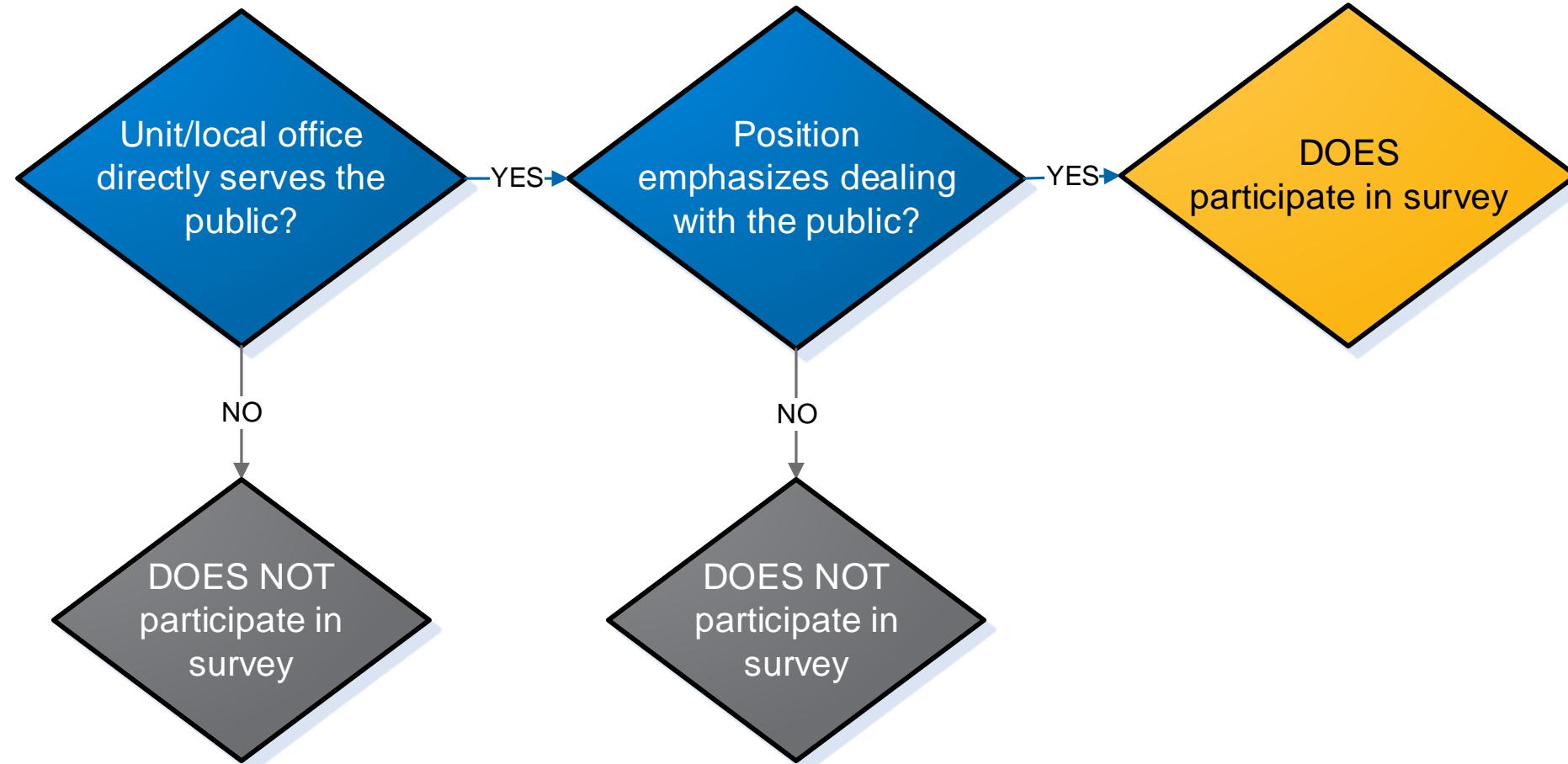
- The department must submit an Implementation Plan to CalHR by October 1 odd-numbered years.
 - Only required when deficiencies are identified during Language Survey phase.
 - Must include proposed actions to resolve identified deficiencies and projected dates of completion.
 - If the plan does not address deficiencies, CalHR has the authority to require changes.
- Six-Month Status Report due April 1 even-numbered years.
 - Only required when deficiencies remain following Implementation Plan phase.
- CalHR issues orders to agencies not making reasonable progress.

Exemption Requests

- CalHR may exempt a state agency from the Language Survey and Implementation Plan requirements for up to ten years
 - If the agency's primary mission does not include providing information or service to the public, or
 - If the agency has fewer than 25 public contact employees and has not reached threshold in any language.
- The Exemption Request Form is available via this address—
 - <https://www.calhr.ca.gov/Documents/CalHR-776.pdf>

NOTE: An exemption from completing the Language Survey and Implementation Plan does not exempt the agency from other requirements of the Dymally-Alatorre Bilingual Services Act.

WHO PARTICIPATES IN THE LANGUAGE SURVEY?



Planning for the Language Survey

- Coordinator sets ten days to conduct Language Survey.
 - May be two consecutive business weeks.
 - If offices are open weekends, include weekend days in survey.
 - Choose times that represent ordinary conditions.
 - All units take survey on the same days.
- Coordinator updates agency info in online system.
 - **Reporting Groups** have clusters of reporting units with related functions or the same management.
 - **Reporting Units** are individual offices or units where contacts between employees and the public take place.

- Coordinator may assign Survey Assistants to help with specific reporting groups.
- Management provides document title, type to Coordinator for written materials each unit distributes to the public.
 - May be coordinated through Reporting Group or Admin unit.
- For each reporting unit, the following must be done—
 - Inform supervisors of survey and secure assistance as needed.
 - Determine who is a Public Contact Employee (PCE),
 - Distribute tally sheets to all PCE's,
 - Direct PCE's in how and when to complete tally sheets, and
 - Collect and return all tally sheets following the survey.

What is a Public Contact?

- A member of the public who contacts the agency about the agency's functions.
 - Written (email, letter, fax) or Verbal (in person, telephone).
 - Seeks information about or action from the agency.
- **Do Not** count the following as public contacts:
 - State, local, or federal government employees, whether from the executive, legislative or judicial branch.
 - Contractors carrying out government business.
 - Contacts unrelated to state business.

How Should Public Contacts Be Tallied?

- Man speaks English with thick Spanish accent.
 - **ENGLISH** contact – unless he cannot be effectively served in English.
- Woman has Vietnamese surname.
 - Not a survey of ethnicity or country of origin. **ENGLISH** contact.
- Letter is written in English, but with incomplete sentences, misspellings. Writer's surname is Punjabi.
 - **ENGLISH** contact. Agency should determine whether a Punjabi-certified employee should call or write back. If so, the return contact is recorded in that non-English language.

How Should This Be Tallied?

- Woman asks, “Habla Espanol?”
 - Customer is seeking services in **SPANISH**.
- Man brings daughter to counter to interpret for him in Mandarin.
 - Employee should seek certified staff or agency-provided interpreter.
 - **MANDARIN** contact.
- Woman speaks Japanese to companion when in line, then uses English when talking with counter representative.
 - **ENGLISH** contact, unless there are difficulties serving this person and an interpreter is needed.

Master Users

- The Survey Coordinator is an LSIP system Master User.
 - Access requested via “Sign-up Here” link. Need CalHR approval.
 - Master Users have full control of their agency’s data in the system:
 - Reporting Groups,
 - Reporting Units,
 - Public Contact Employee Tallies,
 - Public Contact Tallies,
 - List of Documents Subject to the Act,
 - Policies, Procedures, and Data Analyses, and
 - Contact information for agency employees.
 - May add additional Master Users and Survey Assistants.

Reporting Assistants

- Use of Reporting Assistants are optional.
- Assigned access to data only for specific Reporting Group.
- May provide assistance including but not limited to the following:
 - Identifying Public Contact Employees (PCE),
 - Interacting with local management,
 - Training PCEs,
 - Collecting survey tally sheets, and
 - Entering PCE and Public Contact data into online system

All User Accounts

- Should be updated when changes occur.
 - Information carries over from cycle to cycle.
 - **Is not connected to CalHR LS Coordinator Listserv.**
- If account is created by a Master User, will receive an automated message requesting password reset.
- Log in at this web address—
 - <http://jobs.calhr.ca.gov/lsip/>
- Use “Forgot Password” function for account recovery.
 - Click the “Information” tab after login to change your password.
- You may access training resources from the login page.

LSIP System Controls



This “green plus” is used to add a new item.



This “pencil” is used to edit an existing item.



This “red X” is used to delete an existing item.



This “dropdown menu” selects an option.



This “calendar” selects a date.



This “next arrow” saves and continues to the next page.

[Add New Document](#)

Underlined text indicates a “link” - when you click a link, the system will allow you to perform the described task.

[Update/Delete](#)

You have **500** characters left.

Browse...

Upload

This is a “text box.” Once you click on a text box you may type information into it. Clicking on the “up” and “down” caret at the right allows you to scroll so that you may review text you have entered.

This “counter” tells you how many more characters will fit in the associated text box.

When you are asked to upload a document, click the “Browse” button to open a Windows Navigator interface to select the item from the location in which you saved it.

Once you have browsed to select a requested file, click the “Upload” button to transfer the file from your computer system to the CalHR LSIP online system.

Definitions and Requirements

- Once you are logged into the LSIP System, links to a number of resources appear on the right-hand side of the Welcome page.
 - Definition of Key Terms.
 - The Dymally-Alatorre Bilingual Services Act.
 - Instructions in Identifying Bilingual Position Needs and Calculating Deficiencies.
 - NOTE: The Act states that survey results must be **rounded to the nearest whole percentage point** in determining whether a language meets the 5% threshold, so the Act's requirements go into effect when 4.5% of a unit's contacts speak the same non-English language.

Tally and Internal Population Sheets

- Public Contact Employees will fill out one Tally Sheet during each week of the survey while agencies with live-in populations must fill out Internal Population and Certified Staff Count sheets.
 - Corrections and Rehabilitation
 - Developmental Services
 - Education
 - Rehabilitation
 - State Hospitals
 - Veterans Affairs

Roles and Responsibilities Table

- The Language Survey Roles and Responsibilities table shows tasks required as part of the Language Survey for the following:
 - Departmental Language Survey Coordinator/Master User
 - Departmental Reporting Assistant
 - Departmental Public Contact Employee
 - CalHR's Bilingual Services Program

Language Survey Process Milestones

- Language Survey Process Milestones show four milestones for departments to meet during the Language Survey process.
 - Planning and Set-up
 - Conducting the Survey
 - Data Entry, Analysis, and Planning
 - Submission
- Each milestone includes a sequence of smaller steps.

Language List and Dymally Video

- The Language List gives the three-letter code used by the LSIP system for each language the system recognizes.
 - If public contact employees in your agency encounter a language not already listed, email bilingual@calhr.ca.gov to request that it be added to the system.
- Assemblyman Mervyn Dymally in the State Personnel Board video “Language Assistance for Limited-English Persons” speaks to state public contact employees about the importance of providing effective service in non-English languages.

Tips

- Please be aware that the LSIP system will time out after 20 minutes on any single page.
 - There is no warning.
 - If you have entered data and not saved it, it will be lost, and you will have to re-enter it.
- In order to save data, click the blue “Next” arrow at the bottom of the screen.
 - The red navigation tabs at the top of the screen can be used to return to where you left off if you go away and come back, but if you enter data and then navigate away without clicking “next” to save, your data is lost and you will have to re-enter it.

Language Survey Coordinator Information

- When you click “Next” from the welcome screen, the Language Survey Coordinator Information screen opens.
 - Be sure contact information listed in the system for the Coordinator and the Coordinator’s Supervisor are accurate. This is the official record of who was responsible for submitting the report.
 - Note that the LSIP system does not interact with CalHR’s ListServ. If your Language Survey Coordinator or Supervisor has changed, please email bilingual@calhr.ca.gov with your contact information so we can be sure you receive the notifications we send out.

Coordinator Confirmation and Master User List

- Clicking Next from the Coordinator Information screen brings up a confirmation screen asking you to verify the information. Press Back to correct or Next to confirm.
- Next is the Master User list.
 - This shows all accounts that have full access to your department data within the system.
 - Use the pencil icon to update information for existing accounts.
 - Use the red X to delete outdated accounts.
 - Use the green + to create new accounts.
 - Press the blue Next arrow to save Master User account changes.

Reporting Groups and Reporting Units

- The “Reporting Groups and Local Offices/Units” page shows a table. Above it, a Green Plus link allows you to add new Reporting Groups.
 - The table’s “Name” column shows the following for each box:
 - In blue, all the way to the left, the Reporting Group.
 - Just below the reporting group, a Green Plus link to add a Reporting Unit.
 - A list of Reporting Units in the Reporting Group with city and ZIP code.
 - To the left of each Reporting Unit is a Red X to delete it, a Pencil to edit it.
 - Left of the Name column a Red X can delete, a Pencil can edit each Reporting Group.
 - The “Units” column gives a count of Units in each Group.

Reporting Assistants

- The Reporting Assistants page has a table showing all the agency's reporting assistants.
 - Above the table is a count of department reporting assistants.
 - Between the count and the table, a Green Plus lets you add new Reporting Assistants.
 - To the left of each Reporting Assistant, the Red X lets you delete any that are outdated, and the Pencil lets you change contact information or assigned reporting group for each Assistant.
 - The table shows each Assistant's Reporting Group, email address, and phone. Click the email to compose an email in Outlook.

Language Survey Dates and Tally Sheet

- The “Language Survey Dates” page requires you to select the ten dates on which your department will conduct the survey. Click Next to continue.
- The “Tally Sheet” page has a link you can use to print and/or distribute tally sheets to public contact employees.
 - The tally sheet file is fillable but has no submit function.
- After you have completed the Administration Section, you are prepared to receive and enter the survey data from your agency’s public contact employees.

Public Contact Employees

- The “Public Contact Employees” tab has a link to each Reporting Unit, with reporting units listed under the Reporting Groups they belong to.
- Sort tally sheets alphabetically by Reporting Unit within each Reporting Group, then by Language Proficiency and Time Base.
- Once the tally sheets are organized, click the first Reporting Unit link, and it will open the “Public Contact Employees” page for that unit.

Add Public Contact Employees

Once you select a unit, the heading of the display frame changes from “Public Contact Employees by Reporting Group/Unit” to “Number of Public Contact Employees by [Reporting Unit Name] within [Reporting Group Name]”

- Click the red x to delete a group based on current survey results.
- Click the green plus to add public contact employees or the pencil to edit an existing group of employees:
 - The window “Add Staff Member(s) for [Reporting Unit Name] within [Reporting Group Name]” opens up.

Add Staff Member(s)

- In the box “Add Staff Member(s) for [Reporting Unit Name] within [Reporting Group Name]”
Pay careful attention to the instructions above the box for choosing employee time base categories.
 - Select from the dropdown list the language for which you have public contact employees to report.
 - If one or more employees have indicated that they speak a language, list them in that language according to whether they are Certified or non-Certified and in the correct time base column. Enter under English only employees who have indicated that they speak no other languages.
- After all Public Contact Employees for each unit have been entered, click Next to save and continue.

Public Contacts (Tally Sheet Summaries)

- The “Public Contacts (Tally Sheet Summaries)” tab has a link to each Reporting Unit, with reporting units listed under the Reporting Groups they belong to.
- Select a unit for which you have contacts to report.
 - In the “Add Public Contact(s)” window, select from the dropdown a language for which you have contacts, then enter the number of contacts and click “Add”
 - Repeat for each language until all contacts have been reported.
 - Click Next to return to the Contacts Summary page.
- Once contacts for all units are entered, press Next.

Position Deficiency Analysis – View Report

- Click the “Report” link to view staff-to-contact analysis.
 - Shows by reporting group information for each reporting unit.
 - For each language, show the number of reported contacts, employees certified in the language, and employees who say they speak the language but who are not certified.
 - The “Annual” number is the two-week “Contacts” number multiplied by 26 (to get 52 weeks).
 - The “%” shows what percent of contacts each language represents. Language service is required at 4.5% and above.
 - Indicator of Deficiency shows certified FTEs required with current staffing level for the staffing % to match the contacts %.

Position Deficiency Analysis - Upload

- Evaluate each identified deficiency. If existing resources are sufficient in the language with an indicated deficiency to provide service equivalent to what is available in English, the identified deficiency is not a true deficiency.
 - If the unit is 25 FTE or fewer staff, language service may be provided via an interpreter rather than bilingual staff.
 - If the unit is collocated with another unit that has excess language resources, employees from the other unit may provide coverage as needed.
- Write up analysis as doc or pdf file and upload.

Actual Position Deficiency Corrective Plan

- For each item listed, click “Update” and do one or both of the following as appropriate:
 - Reduce the “Actual Position Deficiency” number to match the findings of your Position Deficiency Analysis.
 - Enter a plan to resolve any remaining deficiencies and the date by which the plan is expected to be complete.
 - Click “Update Plan”

Identification of Materials Required to be Translated

- Any written materials distributed to the public by any unit meeting threshold are required to be translated into the language meeting threshold or, alternately, the agency may provide translation aids, translation guides, or assistance through the use of a qualified bilingual person.
 - Use the “Add New Document” button to add a new document;
 - Use the “Update/Delete” button to change status of—or to refresh current status of—a listed document.
- Note that each translated document should be distributed to all of your agency’s offices. This may be done online.

Written Materials Deficiency Corrective Plan

- All translations listed in the Identification page with a “No” indicating that translation has not occurred should appear on the Deficiency Corrective Plan page.
 - If any documents do not appear, they may need to be refreshed by clicking “update” from the Identification list and then selecting “updated document” from the document view.
- For each translation project on the Corrective Plan list, enter the translation plan and the date by which it is anticipated to be completed.
- If documents exceed LSIP system capacity, email CalHR.

Anticipated Vacancies

- Identifying anticipated vacancies in public contact positions can be helpful in planning for necessary bilingual coverage, whether departing bilingual employees need to be replaced or departing English speakers provide an opportunity to backfill with needed bilingual staff.
- Enter the number of public contact vacancies anticipated for your agency during the two-year survey cycle.

Bilingual Services Policy

- If your agency already has a Bilingual Services Policy on file with CalHR, a link appears on this page.
 - Please verify that the policy on file is current.
 - If there has been an update to the policy, click “Reupload” and choose the newest version.
- If there is no policy on file and you have a policy in place, select “Upload” and choose your policy file.
- If there is no policy on file and you do not have one in place, select “We do not have a policy in place.”
 - Begin developing policy and be prepared to discuss with CalHR.

Reports

- Report 4, generated for “All Reporting Groups” includes all the information needed to complete your analysis.
- Report 5 does not work. Please do not use.
- Reports 1 through 3 include various summaries of the information found in Report 4.

Questions 1 and 2a

1. Describe in detail the process of how your agency/department identifies written materials that need to be translated.
 - An acceptable answer is that the agency determines which written materials are distributed through units that meet the 5% threshold according to the Language Survey results.
- 2a. Provide a detailed description of your agency's procedures for identifying language needs at statewide and local offices.
 - Analysis of Language Survey results is an acceptable answer.

Questions 2b and 3

2b. Provide a detailed description of your agency's procedures for assigning qualified bilingual staff to statewide and local offices.

- Testing per ASTM F2889 to a level equivalent to an ILR score of 2, entering test results in ECOS, and designating public contact positions bilingual via form STD 897 to provide an English-equivalent service would be an acceptable answer.

3. Describe in detail the process your agency/department uses to recruit qualified (certified) bilingual staff.

- Identifying in recruitment materials that bilingual candidates are encouraged to apply and making tentative offers pending successful testing outcomes would be an acceptable answer.

Questions 4a and 4b

4a. Provide a detailed description of any training your agency provides to its staff on the provision of services to non or limited English speaking individuals.

- Model answer: We instruct public contact employees in using language identification cards to determine the target language, to use contact lists to reach a qualified public contact employee, and/or to use a telephonic language line to reach a contracted interpreter.

4b. What is the frequency of training your agency provides to its staff on the provision of services to non or limited English speaking individuals?

- A model answer would be that this training is part of new-hire orientation.

Questions 4c, 5a and 5b

4c. What is the date of the most recent training your agency provided to its staff on the provision of services to non or limited English speaking individuals?

5a. Provide a link to the homepage of your internet site where forms and processes for submitting complaints of alleged violation of the Dymally-Alatorre Bilingual Services Act are accessible.

5b. Provide a detailed description of your agency's procedures for accepting and resolving complaints of an alleged violation of the Dymally-Alatorre Bilingual Services Act.

- Alleged violations should be logged, and the Language Survey Coordinator should review Language Survey results for the unit allegedly in violation and should consult with unit head.

Question 5c

- Please identify below the number of alleged complaints in each category by language and maintain, in accordance with your agency's document retention policy, all language access complaints received.
 - Use “Add New Complaint” and “Edit/Delete” to report complaints made since the prior Language Survey.
 - When adding a complaint, use the dropdown to select an existing complaint type if possible. Only add a new complaint type if no existing option applies.
 - For each Complaint Type, select the number of complaints by language.

Questions 6 and 7

6. Please provide a detailed description of any other resource used by your agency including but not limited to, contracted based interpreter or translation services to meet the language needs of your agency.
7. Provide a detailed description of how your agency complies with any federal or other state laws that require the provision of linguistically accessible services to the public.
 - Agencies receiving Federal funds often have obligations under Federal Regulations for the Civil Rights Act.
 - Agencies providing medical care are subject to other state laws.

Question 8

- Identify any best practices your agency/department has established to ensure that it provides an equal level of service to the non-English speaking public. This may include translation of written materials that are not required by the Act.
 - This question provides you opportunity to share innovative approaches your agency used to meet the needs of its limited-English-proficient clientele. Sharing these strategies with CalHR helps us to provide effective guidance to other agencies.

End of Language Survey

- The End of Language Survey pages give you the option to save and come back, to print results for your records, or to complete and file the survey.
- To complete survey submission, you must have your director or authorized designee sign a completed form CalHR 772.

Questions?

- If you are your agency's Language Survey Coordinator and you have questions that have not been answered by the training materials, contact CalHR's Bilingual Services Program:

bilingual@calhr.ca.gov

(916) 324-0970