

STATEWIDE LANGUAGE SURVEY AND IMPLEMENTATION PLAN



2022-2023

REPORT TO THE GOVERNOR AND THE LEGISLATURE



LANGUAGE SURVEY AND IMPLEMENTATION PLAN

2022-2023



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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 to aid executives in each state agency, department, board, and commission in planning the delivery of services to the limited-English proficient (LEP) population of California.

In 2022, an estimated 16.4 million Californians age five and older spoke a language other than English,¹ a decrease from 16.5 million in 2019.² Approximately 44.4 percent of California residents speak a language other than English at home, down from 44.5 percent in 2019. (Due to the COVID-19 pandemic, the Census Bureau issued only experimental estimates for 2020.)³

This report provides a summary of the 2022 Statewide Language Survey results and the 2023 Implementation Plans, which outline how each agency delivers services to its limited-English proficient clients and addresses the identified language needs.

Per statute, reporting is conducted by the “statewide or local office or facility.”⁴ The state has some offices with multiple facilities and some facilities with multiple offices. For this reason, CalHR directs agencies to report for each business unit within a given location.

- Results show that during the ten-day survey, participating agencies had language resources in place for 85.94 percent of public contact offices or facilities with substantial LEP contacts.
 - In about 55 percent of those cases, state agencies had bilingual staff available.
 - Of offices or facilities with substantial LEP contacts that did not have bilingual staff, 72 percent were small enough (having 25 or fewer employees) to legally meet their language service provision obligations through contract interpreter services.
- About 21 percent of qualified bilingual staff available to state agencies during the survey period were in offices where the percentage of limited-English proficient contacts in the respective languages did not meet the legal definition of “substantial population.”

¹ U.S. Census Bureau, American Community Survey 1-Year Estimate Subject Table S1601, 2022.

² U.S. Census Bureau, American Community Survey 1-Year Estimate Subject Table S1601, 2019.

³ U.S. Census Bureau, An Assessment of the COVID-19 Pandemic’s Impact on the 2020 ACS 1-Year Data, 2021.

⁴ Government Code section 7299.4.

Background

The 1973 Dymally-Alatorre Bilingual Services Act (Act) requires agencies⁵ that provide public services, except the State Compensation Insurance Fund, to employ bilingual employees when a substantial portion of the public it serves has limited-English proficiency. 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 population served. “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)). When a unit meets the 4.5 percent public contract threshold, they are required to provide translated written materials and bilingual staff. 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 requiring agencies to document procedures to meet language needs and report plans to address deficiencies and complaints regarding services for LEP clients. In 2013, the Act was amended allowing 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.

In 2014 the Act was amended to add these requirements of agencies meeting the five percent threshold:

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

CalHR is required to inform agencies of their responsibilities under the Act, provide technical assistance, and monitor compliance. Agencies must conduct a biennial Language Survey for each of their local offices that serves the general public and report to CalHR the number of bilingual employees in public contact positions, the languages in which they are certified, the number of bilingual staff needed, and the number and percentage of LEP clients served by the agency.

⁵ As defined in Government Code section 11000.

The Act further requires that each agency analyze the Language Survey results to determine whether identified deficiencies are actual deficiencies;⁶ to identify the anticipated number of vacancies that could be filled with certified staff; to 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 LEP clients; and lastly, to provide a list of written materials that are required to be translated or otherwise made accessible.⁷

CalHR has authority to grant agencies exemptions⁸ 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 furnishing information or rendering services to the public; or it both has consistently received such limited contact with the non-English speaking public that it has not been required to employ bilingual staff,⁹ and also employs fewer than the equivalent of 25 full-time employees in public contact positions. The Act specifically exempts the State Compensation Insurance Fund.

LANGUAGE SURVEY

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

Procedures

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

- CalHR updates the 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 the instructions are clear and concise.

⁶ 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.

⁷ Government Code section 7299.4.

⁸ Government Code section 7299.5.

⁹ Government Code section 7292.

- Language Survey (LS) Coordinators receive CalHR training and support to report survey results:
 - Access online PowerPoint modules.
 - Attend a webinar.
 - Obtain instructional handouts explaining the different components of the Language Survey.
 - Receive ongoing monitoring and technical assistance throughout the survey process to address any questions and concerns that may arise during its completion.
- LS Coordinators train public contact staff participating in the Language Survey.
- The survey takes place over ten-business days identified by the agency.
- LS Coordinators submit their results.
 - Enter data into the LSIP system.
 - Analyze the system data to determine whether potential staffing deficiencies reflect actual needs.
 - Finalize the process through the transmittal 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 remaining unresolved deficiencies must draft a corrective Implementation Plan in the subsequent year.

Definition

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

Findings

The major findings of the 2022 Language Survey are as follows:

- A total of 4,138,543 public contacts were reported by the 67 agencies that participated in the ten-day Language Survey.
 - The number of public contacts reported decreased 3.4 percent from 4,285,352 in 2020.
 - Persons who were identified as non- or limited-English speaking in 2022 constituted 637,150 contacts (15.4 percent), compared with 600,184 (14.0 percent) in 2020.
- Spanish continues to increase in prevalence.
 - There were 533,115 Spanish-speaking public contacts recorded.
 - Spanish-speaking contacts were 12.9 percent of total public contacts
 - Spanish-speaking contacts were 83.7 percent of LEP contacts

These were the other non-English language contacts:

Language	Contacts	Percentage of Non-English Speaking Contacts
Vietnamese	18,148	(2.8 percent)
Mandarin	16,556	(2.6 percent)
Cantonese/Yue	10,840	(1.7 percent)
Punjabi/Panjabi	8,641	(1.4 percent)
Tagalog	7,028	(1.1 percent)
Korean	6,229	(1.0 percent)
Russian	5,939	(0.9 percent)
Armenian	5,503	(0.9 percent)
Arabic	4,540	(0.7 percent)
Farsi	4,198	(0.7 percent)
Hindi	3,231	(0.5 percent)
American Sign Language	2,904	(0.5 percent)
Portuguese	1,743	(0.3 percent)
Japanese	1,453	(0.2 percent)
Hmong	987	(0.2 percent)
76 Other Languages	6,095	(1.0 percent)

Public Contact Statistics

Description	2020 Number	2020 Percent	2022 Number	2022 Percent
English Contacts	3,685,168	86.0 percent	3,501,393	84.6 percent
Non-English Contacts	600,184	14.0 percent	637,150	15.4 percent
Total Public Contacts	4,285,352	100 percent	4,138,543	100 percent

The Act requires that substantial populations of non-English speakers are provided the same level of service in state offices that is available in English, and it defines “substantial” as being 5 percent or more of an office’s public contacts. There were 22 languages meeting this threshold in at least one state office. This table shows the number of offices meeting threshold and the number of public contacts in those offices during the 2022 Language Survey.

Threshold Language Contacts in Offices Meeting Threshold

Language	Count of Offices	Contacts
Spanish	1,047	518,863
Vietnamese	23	10,083
Mandarin	20	6,692
Cantonese/Yue	14	4,505
Punjabi/Panjabi	19	2,955
Russian	15	2,463
Armenian	8	1,836
American Sign Language	14	1,533
Farsi	5	541
Tagalog	7	297
Cambodian/Khmer	1	80
Arabic	2	77
Korean	4	59
Hmong	4	58
Japanese	1	31
French	2	17
Portuguese	3	11
Hebrew	1	7
Hindi	2	3
Romanian	1	3
Cebuano	1	1
Telugu	1	1

The Act requires agencies to translate and distribute written materials from any office that meets the threshold for a non-English language to all its other offices. The table provides information about these threshold languages. The first column lists the languages where at least one office meets the threshold. The second column shows the number of offices that do not meet the threshold but still have contacts in those languages. The third column indicates the number of public interactions with speakers of these threshold languages in non-threshold offices, as reported in the 2022 Language Survey. This highlights the presence of threshold language contacts in offices that fall below the required threshold.

Threshold Language Contacts in Offices Not Meeting Threshold

Language	Count of Offices	Contacts
Hindi	574	13,622
Hmong	462	9,864
Telugu	424	8,065
Romanian	321	6,731
Punjabi/Panjabi	321	6,335
Korean	310	6,170
French	305	5,686
Vietnamese	303	4,463
Mandarin	192	3,667
Armenian	243	3,657
Hebrew	259	3,476
Tagalog	259	3,228
Japanese	166	1,732
Arabic	188	1,422
Spanish	244	1,371
Cambodian/Khmer	109	929
American Sign Language	142	726
Cantonese/Yue	75	521
Farsi	63	191
Portuguese	48	160
Cebuano	2	7
Russian	2	2

There were 70 languages in which contacts were reported during the 2022 Language Survey that did not constitute 5 percent of public contacts in any state office. While many offices do have services in place, the Act does not consider these communities to be “substantial,” so it does not require that agencies provide service in these languages.

Non-Threshold Language Contacts

Language	Contacts
German	624
Dari	562
Urdu	455
Pashto/Pushto/Afghani	405
Thai	396
Ukrainian	335
Italian	249
Lao/Laotian	159
Chinese (Written)	136
Hindko	129
Mixteco	113
Amharic	105
Turkish	72
Yoruba	44
Gujarati	41
Dutch	40
Assyrian/Lishana	34
Taiwanese	29
Tigrigna	29
Ilocano	27
Bengali	24
Burmese	24
Polish	23
Indonesian	22
Mongolian/Halh	22
Croatian	21
Nepali	20
Creole/Kreyol	15
Ibo/Igbo	14
Somali	14
Swahili	12
Tongan	12
Zapotec	12
TTY/TDD/Relay	11
Greek	10

Language	Contacts
Hungarian	9
Samoan	9
Swedish	9
Tamil	9
Trique/Triqui	9
Bulgarian	8
Albanian/Gheg/Tosk	7
Marathi	7
Braille	6
Tibetan	6
Czech	5
Norwegian	5
Bosnian	4
Fijian	4
Kurdish/Kurdi	4
Malay	4
Serbian	4
Visayan	4
Pampangan	3
Afrikaans	2
Hawaiian/Pidgin	2
Kazakh/Qazaq	2
Mien	2
Romani	2
Sinhala	2
Uzbek/North/Osbeq	2
Bisaya	1
Chamorro/Guamanian	1
Jamaican Krio/Creole	1
Kinyarwanda	1
Lahu	1
Lithuanian	1
Mam	1
Moldovian	1
Pangu/Pongu	1

Public Contact Positions

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

- There was a total of 111,080 public contact employees reported by the 67 participating agencies in 2022.
 - This is a 103.8 percent increase from the 2020 number.
 - Of employees in these positions, 14,969 or 13.5 percent were reportedly bilingual, whether or not they had completed certification testing.

A “bilingual person” is proficient in both English 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 an approved bilingual oral fluency examination.

- State agencies are to document employee language fluency certification in CalHR’s Examination and Certification Online System (ECOS). There are 5,492 active employees documented as certified within the system. Some certifications predate ECOS and may be documented only within paper personnel files.
- Most bargaining units have memoranda of understanding that specify employees may not be required to provide bilingual services unless they are receiving bilingual pay. As of the language survey due date, October 1, 2022, the State Controller’s Office reported that 7,102 employees were receiving bilingual pay.
- The State Personnel Board manually conducts periodic [compliance reviews](#) to verify that all employees receiving bilingual pay have certifications on file.
- Pursuant to side letters negotiated with designated labor representatives during the COVID-19 State of Emergency, bilingual employees were temporarily allowed to self-certify for purposes of conducting contact tracing.

State agencies report that employees speak these languages:

- Spanish: 11,233 (75.0 percent of reported bilingual employees); 8,853 certified
- Tagalog: 564 (3.8 percent); 114 certified
- Vietnamese: 460 (3.1 percent); 258 certified
- Cantonese: 403 (2.7 percent); 142 certified
- Mandarin: 363 (2.4 percent); 135 certified
- Punjabi: 233 (1.6 percent); 64 certified
- Hindi: 186 (1.3 percent); 34 certified
- Hmong: 169 (1.1 percent); 57 certified
- Korean: 145 (1.0 percent); 43 certified
- American Sign Language: 123 (0.8 percent); 94 certified
- Armenian: 121 (0.8 percent); 46 certified
- Farsi: 115 (0.8 percent); 35 certified
- Russian: 111 (0.7 percent); 25 certified
- Arabic: 103 (0.7 percent); 31 certified
- 76 other languages (Exhibit E): 639 (4.3 percent); 83 certified

The 2022 Language Survey reported 10,014 certified bilingual employees in public contact positions, an increase of 2,903 positions (40.8 percent) compared to the 7,111 reported in the 2020 survey.

Of public contact employees who identify as bilingual, 33 percent have not yet verified this through fluency testing. Although in most cases employees may not be required to provide bilingual assistance without bilingual pay, they may choose to do so. There were 4,955 non-certified bilingual employees in public contact positions, which is a 14.3 percent increase from the 4,335 reported in the 2020 Language Survey.

From 2020 to 2022, there was a 23.5 percent increase in the number of public contact employees identifying as bilingual compared with a 103.8 percent increase in the number of total public contact employees.

Public Contact Positions Statistics

Public Contact Positions	2020 Number	2020 Percent	2022 Number	2022 Percent
English-Only	43,060	79 percent	96,111	86.5 percent
Non-Certified Bilingual	4,335	8 percent	4,955	4.5 percent
Certified Bilingual	7,111	13 percent	10,014	9 percent
Total Public Contact Positions	54,506	100 percent	111,080	100 percent

Public contact positions are reported here 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. Two employees working half-time is reported as 1 FTE, for example, because the work they perform is equivalent to that of one full-time employee.

Public Contact Full Time Equivalent Employees by Language

FTE	Language	FTE	Language	FTE	Language
96,111.43	English	16.00	Gujarati	3.00	Nepali
11,232.53	Spanish	15.00	Italian	2.38	Bulgarian
563.90	Tagalog	14.00	Swahili	2.25	Bosnian
460.48	Vietnamese	12.00	Bengali	2.00	Afrikaans
403.46	Cantonese/Yue	12.00	Burmese	2.00	Bisaya
362.86	Mandarin	11.00	Yoruba	2.00	Cebuano
232.88	Punjabi/Panjabi	10.50	Ilocano	2.00	Fijian
185.81	Hindi	10.20	Ibo/Igbo	2.00	Finnish
168.92	Hmong	9.00	Romanian	2.00	Mongolian/Halh
144.66	Korean	8.50	Polish	2.00	Tigrigna
123.45	American Sign Language	8.00	Dari	1.90	Malay
121.15	Armenian	8.00	Ukrainian	1.50	Dutch
114.73	Farsi	7.90	Sinhala	1.00	Amis/Taiwanese
111.03	Russian	7.00	Greek	1.00	Basque
103.30	Arabic	7.00	Pashto/Pushto/Afghani	1.00	Chamorro/Guamanian
53.73	Portuguese	5.21	Assyrian/Lishana	1.00	Czech
36.50	Chinese (Written)	5.00	Taiwanese	1.00	Efik
34.33	German	5.00	Telugu	1.00	Jamaican Krio/Creole
32.70	French	5.00	Creole/Kreyol	1.00	Latvian
29.00	Mien	4.00	Mapudungun	1.00	Marathi
28.00	Japanese	4.00	Swedish	1.00	Mixtico
26.73	Urdu	4.00	Tongan	1.00	Moldovian
24.00	Cambodian/Khmer	3.50	Danish	1.00	Navajo
23.48	Lao/Laotian	3.50	Hebrew	1.00	Norwegian
23.00	Amharic	3.33	Turkish	1.00	Pampangan
22.75	Indonesian	3.25	Croatian	1.00	Somali
18.38	Samoaan	3.00	Albanian/Gheg/Tosk	1.00	Toishan
16.50	Tamil	3.00	Hindko	1.00	Uzbek/North/Osbek
16.50	Thai	3.00	Malayalam	1.00	Visayan

Bilingual Employees and Threshold Status

In the 2022 survey, agencies reported 1,258 instances in which an office met the threshold for a non-English language. Of these, there were 1,039 instances in which at least one person on staff claimed knowledge of that language. Agencies also reported 219 instances where an office meeting the threshold had no staff claiming knowledge of that language. In 82.6% of cases where an office met the language threshold, at least one staff member claimed knowledge of the language.

Of the 219 cases in which an office met the language threshold but had no staff speaking the language, 184 (84.0 percent) were in offices with 25 or fewer full-time equivalent public contact staff and could meet their legal obligation using an interpreter. Agencies are directed to contract with telephonic interpreter services for members of the public whose languages are not spoken by any employees in the office.

Bilingual Staffing Deficiencies

Of the 67 agencies that participated in the 2022 Language Survey, 54 agencies (81 percent) met the five percent threshold in at least one non-English language.

- Of the 54 threshold agencies, 23 (43 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.
 - Staffing deficiencies totaling 490.37 FTE were identified across 22 agencies in 14 languages (Exhibit G) during the 2022 Language Survey.
 - Mitigating factors cited by agencies in their analyses include the use of non-certified bilingual staff, interpreter services, and referral for assistance by bilingual staff in neighboring offices.
 - A total of 27 agencies (40 percent) of the 67 agencies that submitted a Language Survey reported no actual deficiencies (Exhibit H).

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

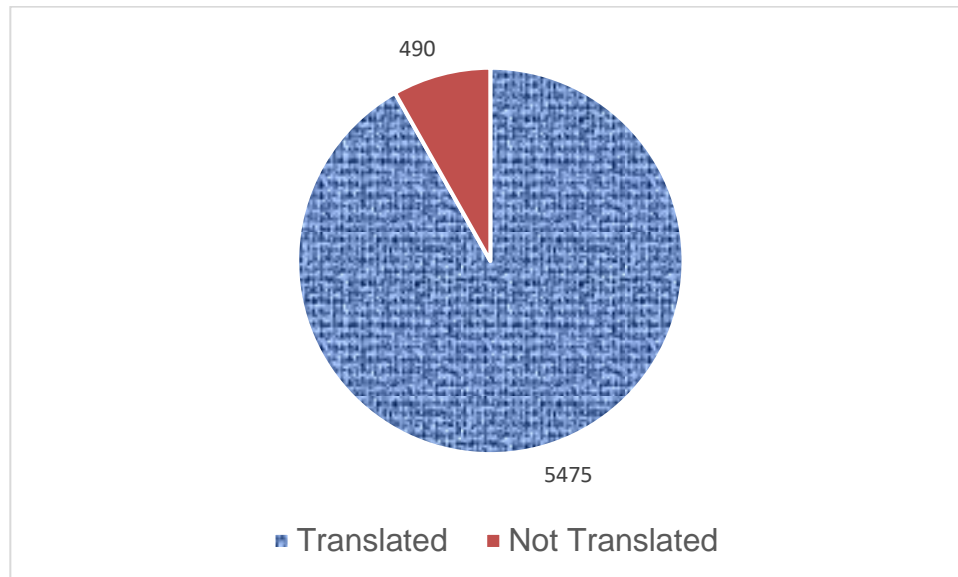
- Scheduling non-certified bilingual staff to take an approved bilingual oral fluency examination.
- Recruiting certified bilingual applicants to fill vacant public contact positions.

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.^{10 11} Written materials include, but are not limited to, applications, brochures, forms, letters, notices, questionnaires, website postings and other media.

Of 5,965 written materials identified as subject to the Act that were in active use in 2022, there were 5,475 (91.7 percent) that had been translated and 490 (8.2 percent) still pending translation.

Active Written Materials Subject to the Act by Translation Status



- Of the 67 agencies that conducted a 2022 Language Survey, 54 (81 percent) met the 5 percent threshold in at least one non-English language and were required to translate any written materials distributed through the unit(s) meeting the threshold.
- Of the 54 agencies meeting the threshold, 22 identified materials that were subject to the Act for the first time in 2022. Those materials were either newly issued or a unit was using them for the first time.
- Of 1,326 documents identified as requiring translation in 2022, there were 1,107 (83.5 percent) that had already been translated by the

¹⁰According 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.”

¹¹ Government Code section 7295.4.

survey due date. A further 13 items were translated as of the 2023 Implementation Plan, raising the total to 84.5 percent.

Here is a table showing, by department, the translations newly identified as being required in the 2022 Language Survey, and their completion status as of the 2023 Implementation Plan.

Translation Status by Department 2023

Department Name	Not Translated	Translated	Total
32nd District Agricultural Association	0	6	6
Air Resources Board	0	34	34
Child Support Services, Department of	0	3	3
Conservation Corps, California	0	3	3
Financial Protection and Innovation, Department of	0	8	8
Fish and Wildlife, Department of	3	1	4
General Services, Department of	0	75	75
Health Benefit Exchange, California	0	57	57
Health Care Services, Department of	0	74	74
High Speed Rail Authority, California	0	41	41
Highway Patrol, California	20	30	50
Industrial Relations, Department of	0	77	77
Insurance, Department of	0	85	85
Motor Vehicles, Department of	191	26	217
Personnel Board, State	0	5	5
Pesticide Regulation, Department of	0	137	137
Public Health, California Department of	0	2	2
Real Estate, Department of	0	3	3
Rehabilitation, Department of	0	2	2
Social Services, Department of	0	10	10
Toxic Substances Control, Department of	0	432	432
Water Resources Control Board	0	1	1

The table below shows the required translations by language, as newly identified in the 2022 Language Survey, along with their completion status as of the 2023 Implementation Plan.

Translation Status by Language 2023

Language	Not Translated	Translated	Total
Arabic	0	26	26
Armenian	57	14	71
Bulgarian	0	1	1
Cambodian/Khmer	0	3	3
Cantonese/Yue	0	42	42
Chinese (Written)	34	38	72
Farsi	0	6	6
Hindi	38	9	47
Hmong	0	10	10
Japanese	0	4	4
Korean	0	16	16
Lao/Laotian	0	4	4
Mandarin	5	50	55
Mien	0	2	2
Mixteco	0	1	1
Portuguese	1	1	2
Punjabi/Panjabi	42	22	64
Russian	0	31	31
Spanish	0	705	705
Tagalog	0	21	21
Thai	0	4	4
Ukrainian	0	20	20
Vietnamese	37	81	118
Zapotec	0	1	1

Translated Materials Procedures

The Act requires agencies to describe their procedures for identifying written materials that must be translated to meet the language needs of their substantial LEP public. Of the 67 agencies participating in the Language Survey, 64 (96 percent) provided information about their process for identifying written materials that require translation.

Identifying Language and Staffing Needs

The Act requires that agencies report to CalHR the procedures they have for identifying language needs at statewide and local offices. Of the 67 agencies

participating in the Language Survey, 65 (97 percent) addressed their procedures for identifying non-English language needs in their offices.

The Act also requires agencies to report their procedures for assigning qualified bilingual staff to meet the needs of their limited-English proficient clients. A total of 65 agencies (97 percent) provided this information.

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.

- A total of 64 agencies (96 percent) described their procedures for recruiting qualified bilingual staff.

Training Public Contact Staff

The Act requires agencies to describe the 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 67 participating agencies, 65 (97 percent) addressed this.

Language Access Complaint Process

Agencies are required to post forms and processes for submitting complaints of alleged violation of the Act on their internet home page. They also must explain their procedures for accepting and resolving language access complaints and must identify the number and language of complaints received.

- Of agencies completing the Language Survey, 65 (97 percent) provided CalHR a web link through which complaints could be submitted.
- There were 64 agencies (96 percent) that provided explanations relating to their procedures for accepting and resolving complaints.
- Five agencies reported at least one complaint.

Department Name	Number of Complaints
Employment Development Department	7
Civil Rights Department	3
Health Care Services, Department of	3
Industrial Relations	1
Water Resources Control Board, State	1

- The 15 complaints were distributed as follows:
 - Bilingual Employee not available
 - One in Armenian
 - One in Mien

- One in Russian
- Two in Spanish
- One in Tagalog
- One in Vietnamese
- Interpreter not provided upon request
 - Two in American Sign Language
 - Two in Spanish
 - One in Korean
 - One in Mandarin
- Document not available in translation
 - Two in Spanish

To assist the public with language access barriers, CalHR provides multilingual language access posters displaying a toll-free number and information on the LEP public's right to request services in their native language. CalHR requires agencies to prominently display these posters in their public offices. Additionally, CalHR maintains the toll-free complaint line for individuals who feel they did not receive adequate bilingual services. Upon receipt of a complaint, CalHR contacts that agency's Language Survey Coordinator and tracks the issue until it is resolved.

During the calendar years 2022 and 2023, CalHR received a total of 68 calls on the Language Access Complaint Line; however, not all were language access complaints. Of the 31 callers, 46% spoke English, and one of them made a valid language access complaint regarding forms being mailed in a non-English language. There were 37 LEP callers:

- Spanish, 23
- American Sign Language/TTY/TTL, 3
- Mandarin, 3
- Tagalog, 3
- Arabic, 1
- Armenian, 1
- Bengali, 1
- Cantonese, 1
- Farsi, 1

The language line also supports Vietnamese, Korean, Japanese, Russian, and Punjabi.

Other Resources Used to Provide Language Services

Agencies were asked to include information about any other resources used to serve the needs of limited-English proficient clients. Of 67 participating agencies, 64 (96 percent) addressed this. Here are some examples of language resources state agencies use:

- Distributing a compiled list of internal bilingual employees or incorporating language information into existing organizational charts.
- Contracting in-person or telephonic interpreter services through a private vendor.
- Contracting translation services through a private vendor or a university.
- Using “I speak...” language identification cards.
- Using the CalHR Registered Interpreter list.
- Using the California Judicial Council’s Court Interpreter list.
- Including languages spoken by agents on an official referral list.
- Soliciting assistance from other state agencies.
- Soliciting assistance from federal field agents.
- Establishing relationships with community-based organizations that serve LEP populations.
- Accessing the Registry of Interpreters for the Deaf.
- Using the California Relay Service for the Deaf and Disabled.
- Having available video relay interpreting, teletypewriter (TTY) phone, closed captioning services and Braille materials.
- Making available multilingual dictionaries and glossaries.
- Accessing automated online translation services.

While automated online translation services should not be relied upon to create a final translation, using them to for 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 automated translator helps to increase its learning.

State agencies also improve their language services by integrating language support procedures into employee desk manuals, by providing feedback

mechanisms for members of language communities to flag areas of online text that are ambiguous or nonsensical, and by prioritizing language support even where a language community does not constitute five percent of contacts.

Compliance with Other State or Federal Language Access Laws

Agencies are asked whether they are subject to other state or federal laws that affect their provision of services to LEP clients. Of the 67 participating agencies, 64 (96 percent) addressed this question.

Besides the Dymally-Alatorre Bilingual Services Act, agencies identified and gave examples of compliance with these additional language provision requirements:

- Title VI, Federal Civil Rights Act of 1964.
 - Different federal agencies provide various regulatory guidance to state agencies receiving funds from them.
- Section 508 of the Federal Rehabilitation Act of 1973.
- Federal Executive Order 13166.
- California Government Code sections 11435.05 - 11435.65.
- California Health and Safety Code sections 1599.61 (e), 123225 – 123255, 123515, 123520, 154175 – 124200, 120968 and 1599.61 (e).

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 with deficiencies identified during the Language Survey must complete and submit an Implementation Plan to CalHR no later than October 1, of odd-numbered years.¹² The Implementation Plan addresses deficiencies in bilingual staffing and the translation of written materials identified in the Language Survey.

Any agency that is, during CalHR's review of Implementation Plan results, "determined to be deficient shall report... every six months on its progress in addressing the identified deficiencies."¹³

Staffing deficiencies are tabulated according to time base: one deficiency represents one full-time-equivalent (FTE) public contact position, with "full-time"

¹² Government Code section 7299.4 (d).

¹³ Government Code Ssection 7299.4 (f).

defined as 40 hours per week. Deficiencies of less than one FTE are expressed as partial deficiencies.

Findings

- Of the 67 agencies that completed Language Surveys, 44 (66 percent) were not required to submit Implementation Plans because no deficiencies were identified during the Language Survey.
- Of the 23 agencies required to submit Implementation Plans, some had staffing deficiencies, and some had document deficiencies.
 - There were 18 agencies that only had staffing deficiencies.
 - One agency only had document deficiencies.
 - Four agencies had both staffing and document deficiencies.
- Of the 23 agencies, 23 (100 percent) submitted Implementation Plans.

The major findings of agencies' Implementation Plan submissions are as follows:

Bilingual Staffing Deficiencies

Twenty-two agencies (a 24 percent decrease since 2020) reported actual bilingual staffing deficiencies totaling 490.37 public contact positions (a 2 percent decrease since 2020) (Exhibit G).¹⁴ In the Implementation Plan, these agencies described their progress in addressing these deficiencies.

- Sixteen of the 23 participating agencies in the October 1, 2023, Implementation Plan resolved staffing deficiencies totaling 92.52 positions (18.9 percent).
- Ten of the 19 agencies participating in the April 1, 2024, six-month progress report resolved staffing deficiencies totaling 88.21 positions (22% of the remaining deficiencies).
- The combined total of staffing deficiencies resolved between the Implementation Plan and the April Progress Report was 180.73 FTE, 37% of the total staffing deficiencies identified during the 2022 survey.

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.¹⁵ These written materials include, but are

¹⁴ Government Code section 7299.4 (b) (9)

¹⁵ Government Code section 7295.4.

not limited to, applications, brochures, forms, letters, notices, questionnaires, website postings, and other media.

Of the 67 agencies that participated in the 2022 Language Survey, 54 agencies (81 percent) met the five percent threshold in at least one non-English language, and agencies identified 1,366 translations that were newly required.

Of these, 1,155 were translated as of October 1, 2023, with the remaining 211 pending completion. In the 2023 Implementation Plan, agencies also reported completing an additional 18 translation projects started prior to the 2022 survey.

CONCLUSIONS

Data collected during the 2022 Language Survey showed that in 6,844 cases, state offices reported resources in place sufficient to meet or exceed the service level required by the Dymally-Alatorre Bilingual Services Act, and there were 31 cases in which bilingual staffing deficiencies were noted. Thus in 0.45% of cases, a state office lacked resources to provide a substantial language community with an equivalent level of service to what was available in English, as defined by the Act.

In support of strengthening equity and language access in alignment of Executive Order No. N-16-22, CalHR has expanded its statewide Language Access Line from 12 languages to 34 languages to assist speakers belonging to all language communities making up 0.1% or more of California's population. State agencies have been directed to prominently post multi-lingual information about this service in all public offices so that persons denied service may contact CalHR's Language Access Services Program directly.

To enhance tracking of language access needs and resources, CalHR will begin updating the online Language Survey and Implementation Plan System in April 2025.

Exhibit A: Agencies Participating in 2022 Language Survey (67)

Language Survey Participating Agencies
22nd District Agricultural Association
32nd District Agricultural Association
Agricultural Labor Relations Board
Air Resources Board
Alcoholic Beverage Control, Department of
Business and Economic Development, Governor's Office of
Cannabis Control, Department of
Child Support Services, Department of
Civil Rights Department
Community Services and Development, Department of
Conservation Corps, California
Consumer Affairs, Department of
Controller, Office of the California State
Correctional Health Care Services, California
Corrections and Rehabilitation, California Department of
Developmental Disabilities, State Council on
Developmental Services, Department of
Earthquake Authority, California
Education, Department of
Employment Development Department
Energy Resources Conservation and Development Commission
Equalization, Board of
Exposition Park Management, Governor's Office of
Financial Protection and Innovation, 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, California
Health Care Services, Department of
High Speed Rail Authority, California
Highway Patrol, California
Horse Racing Board, California
Housing and Community Development, Department of
Housing Finance Agency, California

Language Survey Participating Agencies
Human Resources, California Department of
Industrial Relations, Department of
Insurance, Department of
Justice, Department of
Library, California State
Lottery, California State
Managed Health Care, Department of
Motor Vehicles, Department of
Native American Heritage Commission
Parks and Recreation, Department of
Personnel Board, State
Pesticide Regulation, Department of
Public Employees' Retirement System, California
Public Health, California Department of
Public Utilities Commission, California
Real Estate, Department of
Rehabilitation, Department of
Resources Recycling and Recovery, Department of
Science Center, California
Secretary of State
Social Services, Department of
State and Community Corrections, Board of
State Hospitals, Department of
Tax and Fee Administration, California Department of
Tax Appeals, Office of
Toxic Substances Control, Department of
Transportation, Department of
Unemployment Insurance Appeals Board, California
Veterans Affairs, California Department of
Victim Compensation Board, California
Water Resources Control Board

**Exhibit B: Agencies Exempted from Participation
in 2022-2023 Language Survey and Implementation Plan (99)**

Exempted Agencies
Achieving a Better Life Experience Act Board, California
Administrative Law, Office of
African-American Museum, California
Aging, Commission on
Aging, Department of
Alcoholic Beverage Control Appeals Board
Alternative Energy and Advanced Transportation Financing Authority
Arts Council, California
Auditor, Office of the California State
Baldwin Hills Conservancy
Business, Consumer Services, and Housing Agency
California-Mexico Border Relations Council
CalSavers Retirement Savings Board
Cannabis Control Appeals Panel
Children and Families First Commission
Coachella Valley Mountains Conservancy
Coastal Commission, California
Coastal Conservancy, State
Colorado River Board
Community Colleges Chancellor's Office, California
Compensation Insurance Fund, State
Conservation, Department of
Debt and Investment Advisory Commission, California
Debt Limit Allocation Committee, California
Delta Protection Commission
Delta Stewardship Council
Earthquake Authority, California
Economic Development, Commission for
Education Audit Appeals Panel
Educational Facilities Authority, California
Emergency Medical Services Authority
Emergency Services, California Governor's Office of
Employment Training Panel, California
Energy Infrastructure Safety, Office of
Environmental Health Hazard Assessment, Office of
Environmental Protection Agency, California

Exempted Agencies
Exposition Park Management, California Office of
Fair Political Practices Commission
Finance, Department of
FISCAl
Gambling Control Commission, California
Government Operations Agency
Governor, Office of the
Habeas Corpus Resource Center
Health and Human Services Agency, California
Health Care Access and Information, California Department of
Health Facilities Financing Authority, California
Independent Living Council, State
Industrial Development Financing Advisory Commission, California
Inspector General, Office of the
Institute for Regenerative Medicine, California
Judicial Performance, Commission on
Labor and Workforce Development Agency
Law Revision Commission, California
Legislative Counsel, Office of
Lieutenant Governor, Office of
Little Hoover Commission
Mandates, Commission on State
Mental Health Services Oversight and Accountability Commission
Military Department
Native American Heritage Commission
Natural Resources Agency, California
Peace Officer Standards and Training, Commission on
Pilot Commissioners, Board of
Pollution Control Financing Authority, California
Prison Industry Authority, California
Public Defender, Office of the State
Public Employment Relations Board
Sacramento-San Joaquin Delta Conservancy
San Diego River Conservancy
San Francisco Bay Conservation and Development Commission
San Gabriel Lower Los Angeles Rivers and Mountains Conservancy
San Joaquin River Conservancy
Santa Monica Mountains Conservancy

Exempted Agencies
Scholarshare Investment Board
School Finance Authority, California
Science Center, California
Seismic Safety Commission
Sierra Nevada Conservancy
State Lands Commission
Student Aid Commission, California
Summer School for the Arts
Tahoe Conservancy, California
Tax Credit Allocation Committee, California
Teacher Credentialing, Commission on
Teachers' Retirement System, California State
Technology and Solutions Integration, Office of
Technology, Department of
Traffic Safety, Office of
Transportation Agency, California State
Transportation Commission, California
Transportation Financing Authority, California
Treasurer, Office of the State
Uniform State Laws, Commission on
Urban Waterfront Area Restoration Financing Authority
Water Resources, Department of
Women and Girls, Commission on the Status of
Workforce Development Board, California

Exhibit C: Agencies Participating in 2023 Implementation Plan (23)

Implementation Plan Participating Agencies
Cannabis Control, Department of
Consumer Affairs, Department of
Correctional Health Care Services, California
Developmental Disabilities, State Council on
Education, Department of
Employment Development Department
Fish and Wildlife, Department of
Food and Agriculture, Department of
Forestry and Fire Protection, Department of
Health Benefit Exchange, California
Health Care Services, Department of
Highway Patrol, California
Housing and Community Development, Department of
Industrial Relations, Department of
Insurance, Department of
Motor Vehicles, Department of
Parks and Recreation, Department of
Public Health, California Department of
Public Utilities Commission, California
Rehabilitation, Department of
Social Services, Department of
Unemployment Insurance Appeals Board, California
Water Resources Control Board

Exhibit D: Agencies Providing Six-Month Update in Spring, 2024

Agencies Providing Six-Month Update	
Correctional Health Care Services, California	
Developmental Disabilities, State Council on	
Employment Development Department	
Fish and Wildlife, Department of	
Food and Agriculture, Department of	
Forestry and Fire Protection, Department of	
Highway Patrol, California	
Housing and Community Development, Department of	
Industrial Relations, Department of	
Insurance, Department of	
Parks and Recreation, Department of	
Public Health, California Department of	
Public Utilities Commission, California	
Social Services, Department of	
Unemployment Insurance Appeals Board, California	
Water Resources Control Board	

Exhibit E: 2022 Reported Bilingual Certified Employees by Language

Language	Number of Certified Employees
Spanish	8,853.31
Vietnamese	257.95
Cantonese/Yue	142.33
Mandarin	134.80
Tagalog	113.57
American Sign Language	94.00
Punjabi/Panjabi	63.75
Hmong	57.00
Armenian	45.48
Korean	43.20
Farsi	35.00
Hindi	34.40
Arabic	30.75
Russian	25.00
Portuguese	17.00
Chinese (Written)	8.00
Amharic	6.00
French	4.00
Tamil	4.00
Japanese	3.00
Urdu	3.00
Lao/Laotian	3.00
Swahili	3.00
Bengali	3.00
Cambodian/Khmer	2.00
Indonesian	2.00
Italian	2.00
Yoruba	2.00
Romanian	2.00
Dari	2.00
Sinhala	2.00
German	1.00
Samoan	1.00
Thai	1.00
Burmese	1.00

Language	Number of Certified Employees
Polish	1.00
Ukrainian	1.00
Greek	1.00
Pashto/Pushto/Afghani	1.00
Assyrian/Lishana	1.00
Taiwanese	1.00
Telugu	1.00
Creole/Kreyol	1.00
Swedish	1.00
Turkish	1.00
Albanian/Gheg/Tosk	1.00
Bulgarian	0.38

Exhibit F: 2022 Reported Staffing Deficiencies by Language

Language	Preliminary Deficiency Count	Actual Deficiency Count
American Sign Language	1.85	0
Arabic	2.03	1.91
Armenian	6.19	4.64
Cambodian/Khmer	0.96	0
Cantonese/Yue	7.10	4.96
Cebuano	0.33	0
Farsi	5.03	4.26
French	0.48	0
German	0.13	0
Hebrew	0.36	0
Hindi	2.32	0
Hmong	1.19	0.5
Japanese	0.41	0.41
Korean	1.03	0.44
Mandarin	13.83	12.14
Portuguese	0.86	0
Punjabi/Panjabi	23.74	13.95
Romanian	0.25	0
Russian	17.51	13.49
Spanish	854.28	421.73
Tagalog	3.49	0.68
Telugu	1.05	0
Vietnamese	23.00	11.26
Total	967.42	490.37

Exhibit G: 2022 Reported Actual Deficiencies by Language by Agency

Department	Language	Actual Deficiencies
Cannabis Control, Department of	Armenian	0.29
Cannabis Control, Department of	Mandarin	0.21
Cannabis Control, Department of	Spanish	7.19
Consumer Affairs, Department of	Spanish	8.55
Correctional Health Care Services, California	Spanish	5.43
Developmental Disabilities, State Council on	Spanish	2.38
Education, Department of	Spanish	13.32
Employment Development Department	Punjabi/Panjabi	0.63
Employment Development Department	Spanish	22.32
Fish and Wildlife, Department of	Cantonese/Yue	0.76
Fish and Wildlife, Department of	Hmong	0.50
Fish and Wildlife, Department of	Japanese	0.41
Fish and Wildlife, Department of	Korean	0.44
Fish and Wildlife, Department of	Mandarin	1.79
Fish and Wildlife, Department of	Spanish	25.91
Fish and Wildlife, Department of	Vietnamese	0.07
Food and Agriculture, Department of	Spanish	0.09
Forestry and Fire Protection, Department of	Spanish	1.06
Health Care Services, Department of	Spanish	0.66
Highway Patrol, California	Arabic	1.91
Highway Patrol, California	Punjabi/Panjabi	9.71
Highway Patrol, California	Russian	0.71
Highway Patrol, California	Spanish	79.43
Highway Patrol, California	Vietnamese	4.23
Housing and Community Development, Department of	Spanish	5.08
Industrial Relations, Department of	Farsi	0.41
Industrial Relations, Department of	Mandarin	0.74
Industrial Relations, Department of	Spanish	100.86
Insurance, Department of	Mandarin	5.00
Insurance, Department of	Spanish	31.00
Insurance, Department of	Vietnamese	5.00
Motor Vehicles, Department of	Armenian	2.55
Motor Vehicles, Department of	Cantonese/Yue	4.20
Motor Vehicles, Department of	Farsi	3.85
Motor Vehicles, Department of	Mandarin	3.37
Motor Vehicles, Department of	Punjabi/Panjabi	3.61

Department	Language	Actual Deficiencies
Motor Vehicles, Department of	Russian	12.75
Motor Vehicles, Department of	Spanish	34.08
Motor Vehicles, Department of	Tagalog	0.68
Motor Vehicles, Department of	Vietnamese	1.96
Parks and Recreation, Department of	Russian	0.03
Parks and Recreation, Department of	Spanish	10.74
Public Health, California Department of	Spanish	2.62
Public Utilities Commission, California	Spanish	0.11
Rehabilitation, Department of	Spanish	2.36
Social Services, Department of	Armenian	1.80
Social Services, Department of	Spanish	58.70
Unemployment Insurance Appeals Board, California	Mandarin	1.03
Unemployment Insurance Appeals Board, California	Spanish	6.90
Water Resources Control Board	Spanish	2.94
Total 2022 Bilingual Staffing Deficiencies Reported	All Languages	490.37

Exhibit H: Agencies Reporting No 2022 Bilingual Staffing Deficiencies (27)

Agencies with No Deficiencies
Agricultural Labor Relations Board
Alcoholic Beverage Control, Department of
Conservation Corps, California
Human Resources, California Department of
State Hospitals, Department of
Earthquake Authority, California
Health Benefit Exchange, California
Housing Finance Agency, California
Lottery, California State
Resources Recycling and Recovery, Department of
Child Support Services, Department of
Community Services and Development, Department of
Corrections and Rehabilitation, California Department of

Agencies with No Deficiencies
Financial Protection and Innovation, Department of
Developmental Services, Department of
Exposition Park Management, Governor's Office of
Civil Rights Department
Franchise Tax Board
General Services, Department of
Business and Economic Development, Governor's Office of
Horse Racing Board, California
Justice, Department of
Managed Health Care, Department of
Pesticide Regulation, Department of
Public Employees' Retirement System, California
Real Estate, Department of
Secretary of State

Exhibit I: Summary by Agency of Staffing Deficiency Status

Department	Staff Deficiencies Fall 2022	Corrected Fall 2023	Corrected Spring 2024	Remaining Staff Deficiencies
Cannabis Control, Department of	7.69	7.69		0
Consumer Affairs, Department of	8.55	8.55		0
Correctional Health Care Services, California	5.43	1.71	3.72	0
Developmental Disabilities, State Council on	2.38	1.96	0	0.42
Education, Department of	13.32	13	0	0.32
Employment Development Department	22.95	3.02	19.93	0
Fish and Wildlife, Department of	29.88	12.27	4.98	12.63
Food and Agriculture, Department of	0.09	0	0.09	0
Forestry and Fire Protection, Department of	1.06	0	0	1.06
Health Care Services, Department of	0.66	0.66		0
Highway Patrol, California	95.99	13.1	5.92	76.97
Housing and Community Development, Department of	5.08	0	2	3.08
Industrial Relations, Department of	102.01	0.14	34.77	67.1
Insurance, Department of	41	22	13	6
Motor Vehicles, Department of	67.05	1.8	0	65.25
Parks and Recreation, Department of	10.77	2	2.8	5.97
Public Health, California Department of	2.62	0	0	2.62
Public Utilities Commission, California	0.11	0	0	0.11
Rehabilitation, Department of	2.36	1.35	0	1.01
Social Services, Department of	60.5	0.79	0	59.71
Unemployment Insurance Appeals Board, California	7.93	2.48	0	5.45
Water Resources Control Board	2.94	0	1	1.94
Total Staffing Deficiencies	490.37	92.52	88.21	309.64