

**THE NATIONAL FOREIGN LANGUAGE CENTER
at the
UNIVERSITY OF MARYLAND**

**State Government Survey of State Departments, Agencies,
and Programs – Persons with Limited English Proficiency
(LEP)**

**PRELIMINARY REPORT
December 21, 2001**

**From
THE NATIONAL FOREIGN LANGUAGE CENTER
AT THE UNIVERSITY OF MARYLAND
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Principal Investigator**

**Submitted to
THE STATE OF MARYLAND
DEPARTMENT OF HUMAN RESOURCES**

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This report was prepared by William P. Rivers, Associate for Language Policy, National Foreign Language Center at the University of Maryland (NFLC), with assistance from Erica Ashby and Laura Patterson, Research Assistants at the NFLC, and Research Assistants Natsai Chitiga and Ranjit Sahota who assisted with data entry and survey follow-up.

EXECUTIVE SUMMARY

The National Foreign Language Center at the University of Maryland (NFLC), under contract from the Maryland State Department of Human Resources (DHR), conducted an assessment of all Maryland State departments, programs, agencies, and offices, by performing a two-stage statewide survey to address the following objectives as required by Maryland Senate Bill 542, “Survey of State Departments, Agencies, and Programs” to determine the State’s ability to provide equal access to public services to persons with Limited English Proficiency (LEP):¹

1. Determine which State of Maryland departments, agencies, offices, and programs have LEP clients;
2. Determine which languages are represented among the clientele of LEP Marylanders;
3. Determine the geographic distribution of LEP clients;
4. Estimate utilization rates if interpretation and translation services are implemented in State programs;
5. Determine how the State of Maryland departments, agencies, offices, and programs facilitate the delivery of services to LEP clients, including the availability of translators, interpreters, bilingual staff, and documents in other languages as well as the impact of language barriers on the efficiency and quality of services;
6. Assess current policies and procedures regarding LEP clients; and,
7. Develop recommendations for the Maryland General Assembly.

¹ Senate Bill 542 appears as Appendix B to this report.

For the purposes of this survey and the recommendations it accompanies, we define Limited English Proficiency (LEP) as follows: An individual with Limited English Proficiency is someone who cannot communicate – speak, read, write, or understand - in English well enough to interact with the State government. This definition is based on the definition of LEP status in the LEP policy guidance issued by the U.S. Department of Health and Human Services regarding Title VI of the Civil Rights Act of 1964 (*Federal Register Vol. 69, No. 169, August 30, 2000*).

According to the 2000 Census Supplemental Survey data as provided by the Maryland Department of Planning, 12% of Marylanders over the age of five speak a language other than English at home (Chart 1)². The language barriers for an LEP Marylander may vary, as such an individual may have some command of English, and that command may be sufficient for some interactions, such as entering a State park or applying for a driver’s license, but not for others, such as receiving medical care, applying for social services, or participating in criminal investigations or judicial proceedings.

Objectives 1-6 seek to determine the status of the State with respect to the rights of LEP Marylanders to access the services of the State government. Objective 7 seeks to improve the ability of the State of Maryland to provide services to those who cannot communicate effectively in English. This report of the survey results accompanies the recommendations and estimated costs that are provided to the General Assembly for development and implementation of statewide LEP policy and procedures. The data and its analysis reported here form the basis for those recommendations. This report describes the survey methods used to collect data, presents the key

² All charts appear in Appendix A at the end of this report.

findings of the analysis of the collected data, the level of impact which LEP Marylanders may have on certain departments, agencies, offices, and programs, and concludes with recommendations and cost estimates for the consideration of the General Assembly for policies and procedures to overcome language barriers in the State of Maryland.

RESEARCH METHODS

The NFLC performed this project by collecting survey data in two phases: (1) a scientifically sampled statewide telephone survey administered to 200 front-line State employees; and (2) a written general survey administered to all departments, agencies, and programs statewide.

Phase I, the telephone survey, served two purposes: (1) it allowed the NFLC to test the survey questionnaire for the official written survey of departments, agencies, and programs; and (2) it gave the project team data on customer service and interaction. This allowed the NFLC to identify potential issues for fuller exploration in the written survey. Phase I was preceded by conducting a set of focus groups with State employees in departments and geographic locations with substantial LEP clientele. Focus groups were conducted during late August and early September 2001 with employees from the Baltimore City Department of Social Services, the Prince George's County Department of Social Services, and the Glenmont Express Office of the Motor Vehicle Administration. These focus groups were also used by the research team to verify the interview protocol for the telephone survey.

In Phase I, the NFLC surveyed by telephone 200 randomly selected State employees in eight departments: Aging, Health and Mental Hygiene, Human Resources, Juvenile Justice,

Transportation (specifically, the Motor Vehicle Administration), Labor, Licensing, and Regulation (the Job Service), Natural Resources (the State parks), and the State Police. The project team selected these departments because each had significant and frequent interactions with the general public. The telephone survey respondents were selected by dividing the State into five geographic regions: Western Maryland (Garrett, Allegany, Washington, and Frederick Counties); Southern Maryland (Anne Arundel, Prince George's, Calvert, Charles, and St. Mary's Counties); Central Maryland (Montgomery, Howard, Carroll, Baltimore, Harford, and Cecil Counties); Eastern Maryland (Kent, Queen Anne's, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties) and Baltimore City. All of the offices in each region were identified and then one third of the offices were contacted randomly. Each contacted office was asked to designate three front-line employees who would be asked to complete the survey in anonymity. A total of 200 employees in 23 counties and Baltimore City were contacted, and there were 173 employees who agreed to complete the survey. (See Appendix C for the interview protocol).

Phase II fulfills the requirement of Senate Bill 542, which required the Maryland Department of Human Resources to survey all State departments, agencies, and programs to determine the impact of LEP Marylanders on the operations of the State government and the level of access to services for LEP Marylanders. In phase II, the NFLC sent a written, confidential survey to the Secretary of all 18 cabinet departments as the head of every county, Baltimore City, and regional office of those departments; department-wide units, State and gubernatorial boards; and independent agencies, commissions, and task forces.³ The surveys included return postage and

³ It should be noted that the University of Maryland requires that all data collected for research purposes be kept confidential. In addition, the research team, the Steering Committee and the Academic Advisory Committee felt that confidentiality of the survey would encourage candor regarding the successes or challenges in providing services to LEP Marylanders. We present the data in this report at an aggregated level, to ensure that no single office is identified.

were assigned a code number for data tracking. A total of 635 surveys were sent, and 288 (45%) were returned as of November 30, 2001. (The questionnaire for the official written survey of State offices is in Appendix D).

Both surveys – official written survey of State offices and the telephone survey of State employees – asked for information on the languages encountered among the respondent’s clientele and the frequency with which LEP clients were encountered. Equally important, the surveys elicited information regarding the methods by which the responding employee or office removed any language barriers to the provision of services. These methods may include using the services of bilingual caseworkers, police officers, clerks, cashiers, teachers, staff interpreters and translators, other bilingual staff in a volunteer capacity (that is outside of their normal duties), contractors, family members of the LEP clients, community volunteers, or nothing at all. The surveys asked for the impact of language barriers on the provision of services, in terms of the delays created by language barriers. The surveys also requested information on the availability of public documents in other languages. Finally, the surveys included an open-ended question asking for recommendations to improve services for LEP Marylanders.

Data from the surveys may differ, as the telephone survey of State employees represents a random sample of employees, who may not know of LEP impact or available resources to address the needs of LEP clients in their particular office. The official written survey of State offices required the administrator, manager, or director of the office to gather comprehensive data from the whole office as well to answer on behalf of the office.

The following section presents a summary of the data collected by the NFLC and all charts appear at the end of the report in Appendix A.⁴

KEY FINDINGS

- The surveys conducted by the NFLC for this project found that: every county, as well as Baltimore City, has LEP clients;
- 15 of 18 (83%) State departments, and 22 of 40 (55%) boards, commissions, task forces, and independent agencies, have LEP clients (the exceptions are the Departments of Veterans Affairs, Planning, and General Services) (see Chart 6);
- Spanish is the language most commonly encountered by the State government, with 60% of the departments, offices, and agencies surveyed by mail reporting Spanish-speaking LEP clients. Of State employees contacted by telephone, 62% reported having Spanish-speaking LEP clients;
 - ◆ In the written general survey of State departments, agencies, and programs, 24% Russian and 22% Korean were the next most encountered languages;
 - ◆ In the telephone survey of employees, Korean, Vietnamese, Chinese, and other Asian languages were the second most encountered, with 12% of employees reporting those languages among their LEP clientele;
- Of those departments, agencies, and programs encountering LEP clients, 72% reported no delay in the provision of services due to language barriers, while 28% reported delays;
- No more than 40% of any type of public documents are available in any language other than English;
- Less than one fourth of responding departments, programs, and agencies have either regular tracking of LEP impact or training in policies and procedures to overcome language barriers for LEP clients;
- Maryland State departments face significant language barriers in the provision of services by State contractors;
- The use of minor children as interpreters persists in some areas and departments.

⁴ Note that space requirements in certain charts required the use of abbreviations for county and department names.

RESULTS: OVERALL LEVEL OF IMPACT

This section presents results from the official written survey of State departments, offices, and agencies as well as the telephone survey of State employees. Charts 2a and 2b present the languages reported statewide in both surveys. Spanish is the most encountered language, with 72% of State offices reporting Spanish-speaking LEP clients. Asian languages such as Chinese, Vietnamese, and Korean as well as Russian are the next most encountered languages spoken by LEP clients, among the clientele of approximately 20% of State offices. All other languages are seen by a handful of State offices. Charts 3a and 3b present the data on the presence of LEP clients by region. Charts 3a and 3b indicate that all regions report at least 50% of offices or employees with LEP clients. Charts 4a and 4b⁵ present the data on languages encountered in each county and Baltimore City. They demonstrate that, without exception, every county in the State of Maryland, as well as Baltimore City, has had in the past or currently has LEP clients. Chart 4a indicates that the greatest overall impact in terms of the percentage of State offices with LEP clients is seen in Baltimore, Calvert, Charles, Harford, Howard, Prince George's, St. Mary's, and Wicomico Counties, with 100% of the responding offices reporting LEP clients. The lowest impact of LEP clients is seen in Allegany, Dorchester, Garrett, Kent, and Queen Anne's Counties. There is a difference seen in Chart 4b for employees reporting LEP clients, with a greater impact of LEP clients in Prince George's, Charles, Montgomery, Howard, Dorchester, Wicomico, Worcester, and Somerset counties. The lowest impact of LEP clients is seen in Allegany, Anne Arundel, Calvert, Cecil, Queen Anne's, and Talbot Counties. This may be because only three employees per office

⁵ Chart 4b has four counties missing, as no employees in those counties reported LEP clients. Note that the telephone survey of employees was less comprehensive in its coverage than the official written survey. Note as well that a "missing" bar in a chart indicates a value of zero for that particular item.

were asked to respond to the telephone survey, and those employees may not have known of any LEP impact in that office.

Chart 5 presents the data by county for the languages encountered by State offices. Chart 5 demonstrates all counties have Spanish-speaking LEP clients; that Korean, Vietnamese, Chinese, and Russian occur in a majority of counties; and that Anne Arundel, Baltimore County, Prince George's, and St. Mary's Counties and Baltimore City have more than a dozen languages among their LEP clients, in addition to Spanish.

In relation to recommendations for improving access to services, the statewide presence of Spanish-speaking LEP clients makes the translation of vital documents into Spanish a priority. In addition, offices and departments located in jurisdictions with multiple languages must be prepared to deal with those languages in addition to Spanish. (We have presented data which indicate that departments in these jurisdiction often have bilingual Spanish speaking employees, but little in the way of resources to deal with other languages). These departments should make more use of current Statewide contracts to assist clients in a broader range of languages.

Chart 6 presents the number of offices in each State department that reported having LEP clients. Chart 6 is based on the responses to the official written survey of State offices. Chart 6 shows that, based on the data available on November 30, 2001, 15 of 18 State cabinet departments have LEP clients. Chart 7 lists the languages of LEP clients for each department. In terms of policy recommendations, these data indicate that all State departments should be prepared for LEP clients. All State departments should develop departmental polices and procedures and identify resources for assisting LEP clients. The recommendations provide guidance for the development of departmental policies.

In addition to the overall level of LEP clientele, both the telephone survey of employees and the official written survey of State offices asked for information on the frequency of contact with LEP clients. The research team asked this question because it felt that certain languages, such as Spanish, certain regions or counties, and certain departments would see more frequent contact with LEP clientele. For the purposes of this report, “infrequent” contact is defined as one client or contact per month (or less), “sporadic contact” indicates a range from one client or contact per week to one per month, and “frequent contact” indicates more than one contact or client per week. Charts 8a and 8b give this information by region. Charts 8a and 8b show that only Western Maryland sees the majority of its LEP clientele on an infrequent basis. In other words, all regions have similar frequency of contact – at least 50% of which is sporadic, and 25% of which is frequent. Charts 9a and 9b give the same data by county on frequency of contact with LEP clientele. Chart 9b shows that Montgomery, Prince George’s, Worcester, and Baltimore City see their LEP clients most frequently, with a majority of offices answering that they see LEP clients “frequently.” Harford, Washington, Anne Arundel, Baltimore, Somerset, and Cecil counties see LEP clients somewhat less frequently, with the majority of offices in those counties answering that they encounter LEP clients “sporadically.

Chart 10 gives the data on the frequency with which speakers of a particular language are encountered by State offices. The research team hypothesized that certain languages (such as Spanish, Chinese, Vietnamese, Korean, and Russian) would be encountered more frequently than others. Chart 10 also indicates that it makes little difference whether the language of the LEP clientele is Spanish, Russian, Vietnamese, or another language, as all of the larger languages in the survey appear in State offices with similar frequency. The data for languages with smaller populations (that is, languages other than Spanish, Vietnamese, Korean, Chinese, and Russian)

must be interpreted carefully, as only a small number of offices or employees reported these languages. However, we do not have sufficient data to project that all contacts with Hmong or Twi clientele are frequent. It must also be borne in mind that these data indicate that there are offices within the State of Maryland that are heavily impacted by these small languages.

Chart 11 provides the data for frequency of contact by department. Chart 11 indicates that certain departments that provide social services such as Aging, Education, Health and Mental Hygiene, Human Resources, Social Services (at the county level), Transportation (the Motor Vehicles Administration in particular) – report either sporadic or frequent contact with LEP clients. Other departments report infrequent contact.

RESULTS: BARRIERS TO SERVICE

Both the official written survey and the telephone survey asked those respondents with LEP clients to provide quantitative information on the additional delay clients may experience due to language barriers in the provision of services. Charts 12a and 12b present the overall data on delay of service. These data indicate that fully one fourth of the offices and employees with LEP clients cannot deliver services to those clients with the same efficiency with which services are delivered to non-LEP clients. Charts 13a and 13b report the data on delay of service by language. The data presented in Charts 13a and 13b make clear that longer delays are encountered when the language of clients falls into the less-frequently encountered group – languages other than Spanish, Russian, Vietnamese, Chinese, and Korean – with delays from one day to one week occurring at least 50% of the time. It must also be noted that no language is free from some delay due to language barriers. However, it should be understood that no delay should be acceptable in the provision of services. Taken together, the data on delay overall and delay by language indicate that

certain languages pose significant problems to State offices in the provision of services. These languages tend to be those with smaller populations in the State of Maryland, or those whose populations are not concentrated in one geographic location. These languages (such as Twi, Hmong, Serbian) are also languages in which State offices are unlikely to have bilingual employees, and in which community resources will be scarce. We recommend that State offices make better use of statewide and department-wide resources, such as the State contract with Language Link and the list of interpreters maintained by the State Administrative Office of the Courts.

Insofar as the frequency of interaction with LEP clients may determine the capacity of a given office or agency to meet those clients' needs, the research team investigated the relationship between the frequency of encounters and the length of delays. Charts 14a and 14b represent data from State offices and employees, respectively. The data in Charts 14a and 14b indicate that frequency of encounter makes no difference with respect to the length of delay in providing services to LEP clients.

Finally, the research team investigated the impact of regional variation on the delay in providing services to LEP clients. Charts 15a and 15b present the data on length of delays by region. Chart 15b indicates that the delays due to language barriers in the provision of services to LEP clients in Western Maryland are more likely to be longer than in other regions of the State, although not by a large margin.

RESULTS: HOW LANGUAGE BARRIERS ARE OVERCOME

The surveys elicited information on the methods used by employees and offices to overcome language barriers, the existence of policies and procedures, and the training offered to

employees in assisting LEP clients. Charts 16a and 16b present the overall data on meeting LEP clients' language needs from the survey of State employees and State offices, respectively. Respondents were asked to list all methods used to overcome language barriers, therefore, multiple responses were possible and the responses total more than 100%. State employees reported that they rely on the client's relatives or friends and community advocates in approximately 80% of the interactions with LEP clients, and that they rely almost as much (60-70% of interactions) on their own skills or on bilingual employees in the same office acting in a volunteer capacity. Employees who answered that they relied on their own skills typically responded that they spoke slowly, exercised patience, or requested that the LEP client return with an interpreter. In addition, bilingual employees are often called upon to provide interpreting service outside of their regular job duties. The focus groups conducted at the beginning of this project revealed that this response to LEP clients often disrupts the work of the office, as employees who are called upon to interpret or translate for other workers fall behind in their own work.

Chart 17 presents the data for the method most used by State employees to meet LEP clients' language needs. Chart 17 indicates that State employees report that bilingual staff are most often used, followed by client relatives or friends and community members. Employees and offices both report relatively low levels of utilization of contractors or staff interpreters. Our recommendations will reflect that more use should be made of contractors, as well as a range of other methods for providing services to LEP clients, and that the State of Maryland direct efforts to educate State offices regarding the availability of State contracts and other State resources.

Respondents in the telephone survey of State employees were asked which method was preferred. Chart 18 presents the results for this question. State employees report that they would prefer to use other staff, contractors, or to handle the issue themselves. The discrepancy between

the methods used most often and the preferred methods is important to note. Written comments revealed a sense among employees and managers that State employees would be more likely to render an accurate, confidential, and impartial interpretation than family members or friends. Moreover, numerous respondents indicated that minor children are often drafted to serve as interpreters in settings ranging from juvenile justice to health care to public benefits. Respondents were uniformly uncomfortable with the use of minor children where it occurs, and all expressed the preference to use other methods to overcome language barriers.

A corollary to effective methods for overcoming language barriers is the existence of departmental policies and procedures for providing public service access to LEP clients. Respondents to the survey of State employees were asked whether they knew of any policies or procedures for assisting LEP clients. Chart 19 provides the data from this question. In general, less than half (48%) of the respondents knew of any policies or procedures, formal or ad hoc, in place to deal with LEP clients. The existence of statewide blanket contracts or departmental contracts for language services is generally unknown.

The survey of State Offices asked whether responding offices had any procedures or policies for monitoring LEP impact. Chart 20 presents the data on monitoring by State offices. Less than 20% of offices had monitoring systems in place. More than 70% collect no data. Our recommendations will reflect that offices should monitor their LEP impact and collect data on that impact. The recommendations section provides more details for this item.

Finally, State offices and employees were asked whether training in policies and procedures for ensuring access to State services by LEP Marylanders is available. Charts 21a and 21b present the responses to this question. Less than 25% of employees or State offices reported

any training in assisting LEP clients. Our recommendations will reflect the need for training in LEP policy and procedure as well.

CONCLUSIONS

The State of Maryland remains an attractive location for new Americans, providing ample opportunities to partake of the American Dream of personal, religious, and financial liberty in the broadest and best sense. Data from the 2000 Census and the Census Supplemental Survey, as provided by the Maryland Department of Planning, show that more than 12% of Maryland's population speaks a language other than English at home. Data from the Maryland State Department of Education, which is required to monitor home languages among the schoolchildren of Maryland, show more than 200 languages spoken in Maryland. The economic opportunities and attractive lifestyle of all of the State's regions have attracted immigrant and migrant populations to all corners of Maryland.

Providing services, from law enforcement to State parks to health to education, requires that language barriers be overcome. The State of Maryland leads the nation in addressing the issue of LEP access, with Senate Bill 542, the adoption of LEP policies and training by the Department of Human Resources and its umbrella agencies the local departments of social services, and the strong effort by the Department of Juvenile Justice to address its LEP concerns and develop policy, procedures, and training.

Nevertheless, the research conducted for this report shows several areas in which the State of Maryland could substantially improve the provision of services to LEP Marylanders. First, all State departments should have policies and procedures in place to overcome language barriers for LEP clients. Second, substantial guidance is required for State departments in the creation of

policies and procedures. Third, Statewide coordination of policy development is essential to ensure equity across departments. Fourth, Statewide resources are inadequately leveraged, underutilized, and essentially unknown; all of which must be remedied. The final section of this report presents the detailed recommendations developed by the Department of Human Resources and the National Foreign Language Center.

RECOMMENDATIONS

The following recommendations are made to the General Assembly by the Department of Human Resources and the National Foreign Language Center:

PRELIMINARY SURVEY OF LEP IMPACT ON MARYLAND STATE DEPARTMENTS, AGENCIES, AND PROGRAMS

POLICY RECOMMENDATIONS FOR THE MARYLAND GENERAL ASSEMBLY

SUBMITTED BY:

THE MARYLAND DEPARTMENT OF HUMAN RESOURCES
THE NATIONAL FOREIGN LANGUAGE CENTER AT THE UNIVERSITY OF MARYLAND

DECEMBER 17, 2001

Based on the results of the preliminary survey of State departments, agencies, and programs regarding the impact of LEP Marylanders on the provision of services by the State government, as required by Maryland Senate Bill 542, "Survey of LEP Impact on Maryland State Departments, Agencies, and Programs," the Department of Human Resources and the National Foreign Language Center at the University of Maryland recommend that the General Assembly enact the following policies:

1. *Overall State Policy:* The policy of the State of Maryland regarding the provision of services to those who are unable to communicate in English should ensure that no one be denied or delayed services due to an inability to communicate in English.
2. *Availability of Public Information:* All departments, agencies, offices, and programs shall provide critical documents as described below in Spanish as well as English by January 1, 2004. These documents include:
 - a. Informational materials, brochures, and posters;
 - b. Applications for benefits, licenses, and other services;
 - c. Client Notices of Action
 - d. Other documents, as each department deems necessary.
3. *Departmental Policies:* Each department (and, as applicable, each independent agency, board, or commission) shall develop policies and procedures to ensure that no one be denied or delayed services due to an inability to communicate in English.
 - a. *Compliance with EO 13166 and Title VI of the Civil Rights Act 1964:* Whenever a State department, agency, or program falls under Presidential Executive Order 13166 (August 20, 2000) or any other Federal legislation or court ruling requiring compliance with Title VI of the Civil Rights Act, the department must comply with EO 13166. Such compliance should be accepted as satisfying State of Maryland policy.
4. *Requirements for Departmental Policies:* Departmental policies must:

- a. Ensure that the burden of communicating with the State of Maryland does not fall upon the LEP client;
- b. Provide a means for public comments on LEP policies, especially from the departments' LEP client populations, through such avenues as community liaisons, survey questionnaires, departmental newsletters, departmental websites, and other means of communicating with the public;
- c. Require that baseline data be collected by January 1, 2003 to determine the LEP impact on State departments;
- d. Consider the following criteria:
 - i. The nature of services provided;
 - ii. The frequency of services provided;
 - iii. The degree to which those services are critical;
 - iv. The consequences of those services;
 - v. The duration of those services;
 - vi. The status of the clients (e.g., juveniles, aging, committed populations);
- e. Develop clear procedures that are applicable to the provision of services to LEP clients that take into account factors such as:
 - i. The factors in 4(d) above,
 - ii. The demographics of the departments' clientele;
 - iii. The efficiency of potential methods of facilitating access to services by LEP Marylanders, such as:
 1. Bilingual staff;
 2. Staff interpreters and translators;
 3. Social, health, and other service vendors with multilingual capability;
 4. Contract interpreters and translators;
 5. Telephone interpreters;
 6. Community resources;
 7. Client relatives and friends (no children);
 8. Specify the situations when the departments must provide the interpreter, rather than using the client's interpreter (e.g., relative or friend), when privacy, integrity of investigations, or client confidentiality require that the department supply the interpreter, or when coercion (of the interpreter) may be suspected or the competence of the interpreter may be questionable
 - iv. In addition, departmental policies should not rely exclusively on any **one** method for ensuring access to services by LEP individuals.
- f. Determine which documents beyond those noted in section (3) above must be made available in languages other than the primary languages identified;
- g. Determine the resources needed to provide access to LEP Marylanders as well as the resources currently available in the departments;
- h. Bar departments from the practice of minor children serving as interpreters and translators. Children may be the subjects of investigation, and no child should bear the responsibility of acting as an agent of the State government in the transmission of serious, consequential information and decisions. However, there may be

incidental or innocuous contacts, i.e., asking for admission to a state park, where a child may be able to interpret for a parent;

- i. Require training for staff who have contact with LEP clients in the departments' policies and procedures for the provision of services to LEP individuals;
- j. Establish a timetable and plan for:
 - i. Development of the policy;
 - ii. Implementation of the policy;
 - iii. Training of staff;
 - iv. Translation of documents;
- k. Designate an office within each individual State department to coordinate language services and LEP policy issues for that department;
- l. Require the development and implementation of systems to monitor LEP impact as well as policy compliance by departments keeping account of:
 - i. The total number of LEP persons served by counting multiple visits as well as who provided the service (i.e. bilingual staff, staff interpreter, volunteer, contractor, etc.), by language and service provided;
 - ii. The cost of providing language services;
 - iii. Total number of LEP clients served;
 - iv. Total utilization of language service contractors (interpreters, translators) by language;
 - v. Number of documents translated, by language, and identifying the name of the document;
- m. Require that vendors contracting with the State to provide services to the public comply with State and departmental policies regarding the provision of services to those with limited English proficiency;
- n. Report annually to the statewide policy coordination body (see section 5 below) regarding LEP impact and policy compliance.

5. *Statewide Policy Coordination:* Identify a coordinating entity and establish legal representation as appropriate from the Office of the Attorney General, with assistance from the National Foreign Language Center at the University of Maryland to serve as the coordinating authority for LEP policy, with the following responsibilities:

- a. Conduct a comprehensive survey of the impact of LEP individuals on the operations of the government of the State of Maryland, including the civil, juvenile and family courts;
- b. Determine available resources such as bilingual employees statewide, language contractors, and service providers;
- c. Upon completing the survey, determine which commissions, boards, and independent agencies must develop LEP policies;
- d. Assist other departments in the development of LEP policies.

6. *Statewide Resource Leveraging:* The Department of Budget and Management or other appropriate agency should assist other departments, agencies, offices, boards, commissions, programs and vendors by leveraging State resources, including:

- a. Advertising current statewide contracts for language services to departments, agencies, offices, and other units of the State government;

- b. Advertising the list of interpreters maintained by the State Administrative Office of the Courts;
- c. Promoting and facilitating the use of the State's universities and colleges as resources for document translation;
- d. Facilitating coordination with the Governor's Office of Business Advocacy and Small Business Development on the identification of those vendors of social, health, and other services that are able to provide their services in other languages.
- e. Assisting State departments in interagency coordination of cases with LEP clients;
- f. Assisting in the interagency coordination of resources.

7. *Incentives for State employees:* The General Assembly should consider increasing incentives for bilingual State employees beyond the current \$25 monthly bonus, as well as the creation of funds for departments to draw on for departmental incentives for bilingual employees.

**REVISED COST ESTIMATES FOR RECOMMENDATIONS
01/28/2002**

Recommendation 1: **\$0**

COST ESTIMATE: Minimal to no cost.

Recommendation 2: **\$195,000**

COST ESTIMATE: At 100,000 words (approximately 100 pages of information at 1000 words per page, based on estimates by MD DHR) per department (15 departments) per annum as an initial estimate, this would cost approximately **\$195,000** annually, based on the current rate of 13 cents per word for translation from English to Spanish.

Recommendations 3 and 4: **\$840,000**

COST ESTIMATE: At present, the Departments of Human Resources, Education, State Police, and Juvenile Justice have or are developing policies. The Department of Juvenile Justice contracted with the University of Maryland to assisting policy development and training at a cost of \$55,000. Using this as a baseline, we estimate that policy development and training will cost between \$50,000 and \$75,000 per cabinet department, with 14 departments not yet having developed policies or conducted training. Estimate: 14 @ \$60,000:

Recommendation 5: **\$232,000**

COST ESTIMATE: The NFLC and the identified coordinating entity establish that the Statewide survey and assistance to other departments will cost the NFLC **\$100,000** and the coordinating entity **\$132,000**

Recommendation 6: **\$0**

COST ESTIMATE: Minimal to no cost.

Recommendation 7: **\$300,000**

COST ESTIMATE: As an example, a \$100 monthly incentive would cost approximately \$300,000, assuming 250 employees Statewide with workplace bilingual skills. As a comparison, contracted interpreting services (from the State's vendor, CTS Language Link) cost \$60 per hour.

Total Cost of Recommendations: **\$1,567,000**

APPENDIX A: CHARTS

Chart 1: Languages Spoken at Home in Maryland*

	Estimate	Lower Bound	Upper Bound
Population % years and over	4,808,097	4,796,268	4,819,926
English only	4,196,984	4,151,622	4,242,346
Language other than English	611,113	570,193	652,033
Speak English less than “very well”	241,387	212,332	270,442
Spanish	202,509	175,528	229,490
Speak English less than “very well”	93,508	73,391	113,625
Other Indo-European languages	204,304	182,988	225,620
Speak English less than “very well”	62,594	52,037	73,151
Asian and Pacific Islander languages	141,107	120,320	161,894
Speak English less than “very well”	71,742	54,813	88,671
Other languages	63,193	50,599	75,787
Speak English less than “very well”	13,543	7,727	19,359

* From Census 2000 Supplemental Survey

Chart 2a: LEP Impact: Languages Reported by State Departments, Agencies, and Programs (from the official written survey of State Offices)

Language	n	%
Spanish	173	60
Russian	69	24
Korean	64	22
Vietnamese	42	15
Chinese (Mandarin)	41	14
German	36	12
French	33	11
Tagalog	25	9
Cantonese	23	8
Haitian Creole	22	8
Asian**	22	8
Arabic	21	7
European**	20	7
Portuguese	19	6
Farsi	18	6
Italian	15	5
Hebrew	14	5
Serbian/ Croatian	14	5
Ukrainian	11	4
Greek	11	4
Middle Eastern	9	3
Swahili	9	3
African**	9	3
Igbo	7	2
Yoruba	4	1
Hispanic**	3	1
Hmong	3	1
Tigrigna	2	1
Hausa	1	0
Twi	1	0

* n is the number of respondents who reported that language

** These categories represent multiple languages from the indicated area

Chart 2b: LEP Impact: Languages Reported by State Employees (from the telephone survey of State employees)

Language	n	%
Spanish	108	62
Asian**	21	12
Korean	21	12
Vietnamese	22	13
Chinese	18	10
Russian	16	9
European**	11	6
French	9	5
African**	7	4
Hispanic**	7	4
German	5	3
Portuguese	4	2
Haitian Creole	3	2
Arabic	2	1
Italian	1	1
Others	19	11
American Sign Language	9	5
All	3	2

* n is the number of respondents who reported that language

** These categories represent multiple languages from the indicated area

Chart 3a: Offices Reporting LEP Clients, by Region (from the official written survey of State offices)

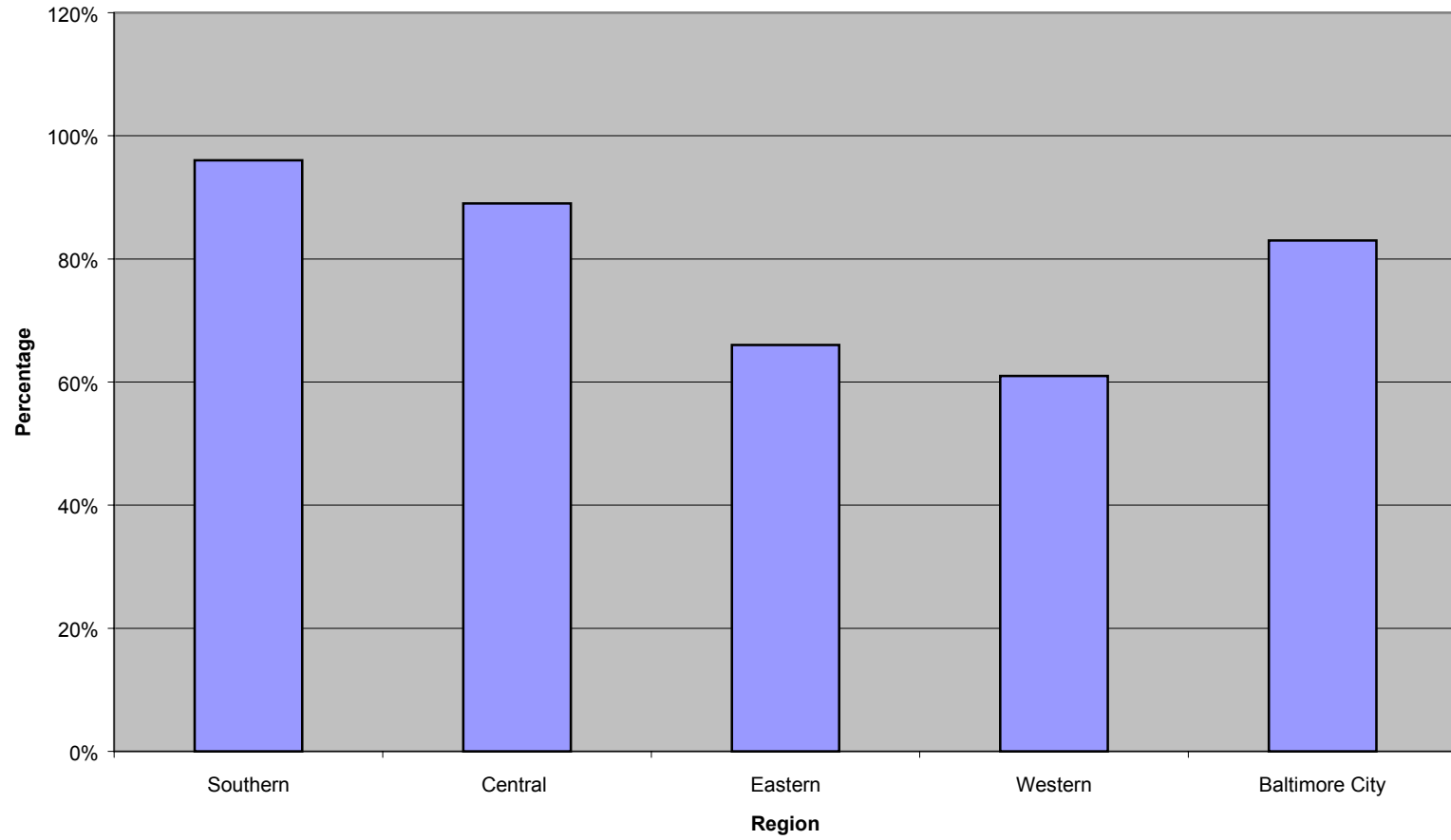


Chart 3b: Offices reporting LEP clients, by Region (from the telephone survey of State Employees)

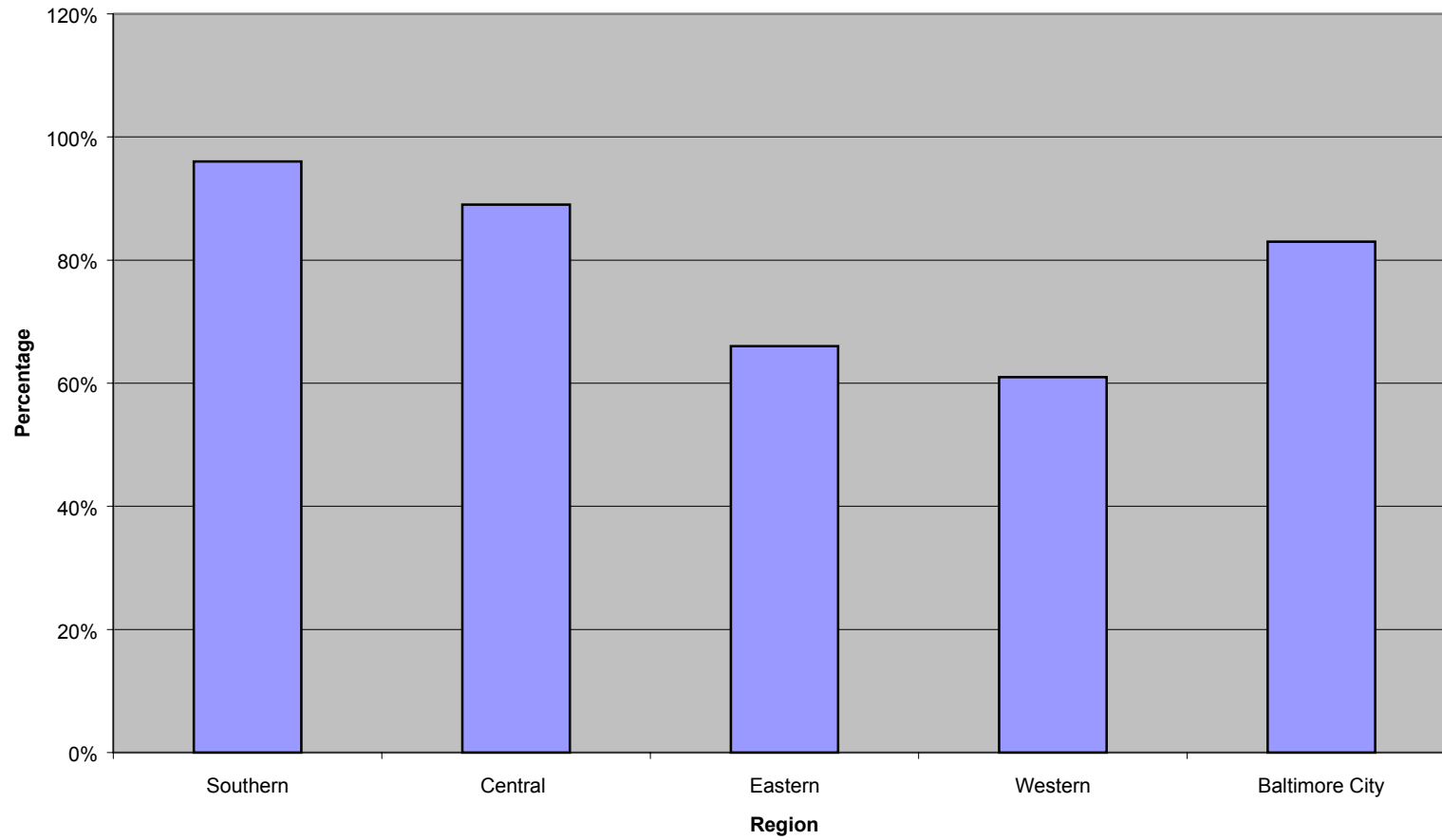


Chart 4a: State offices reporting LEP Clients, by County (from the official written surveys of State offices)

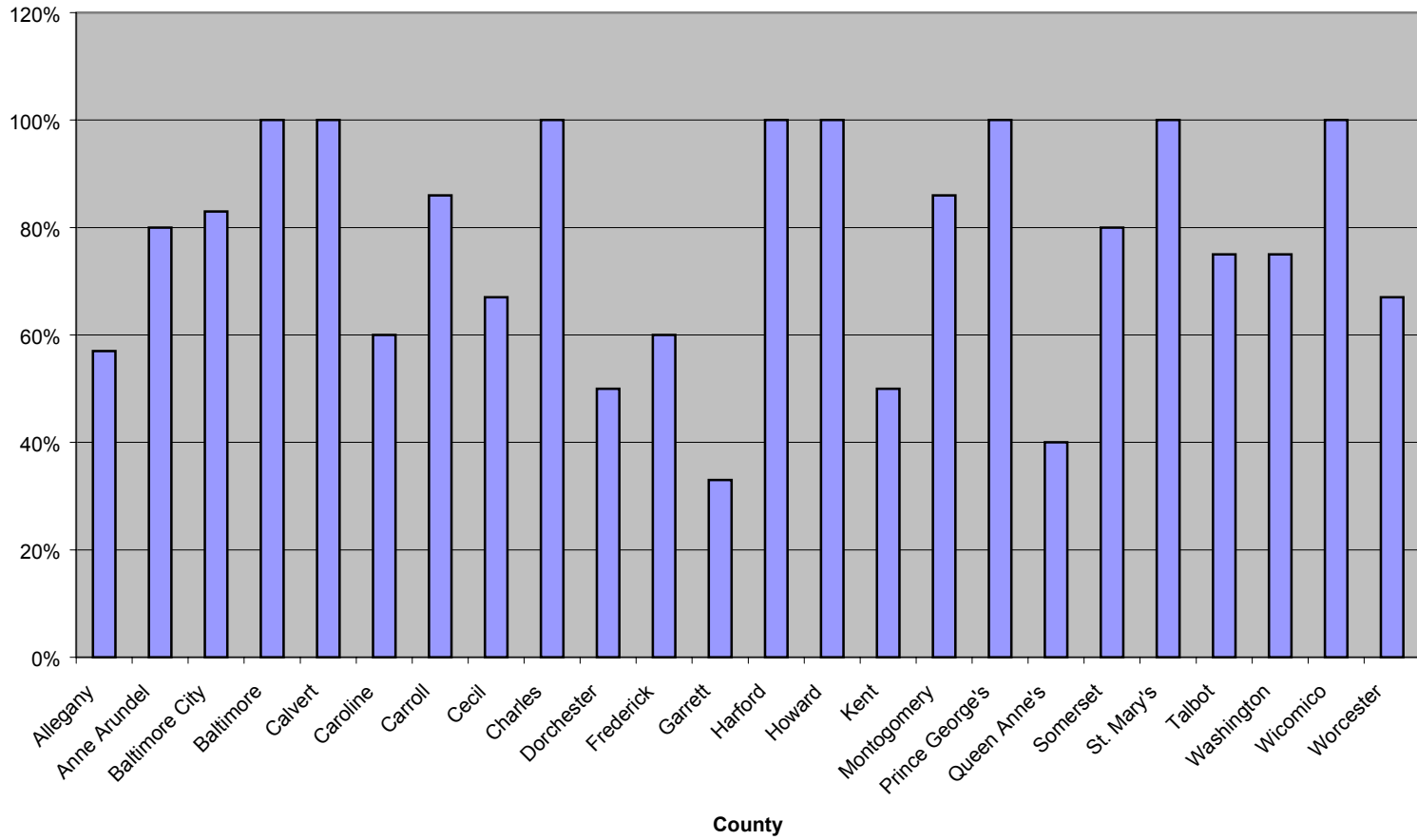


Chart 4b: Employees reporting LEP Clients, by County (from the telephone survey of State employees)

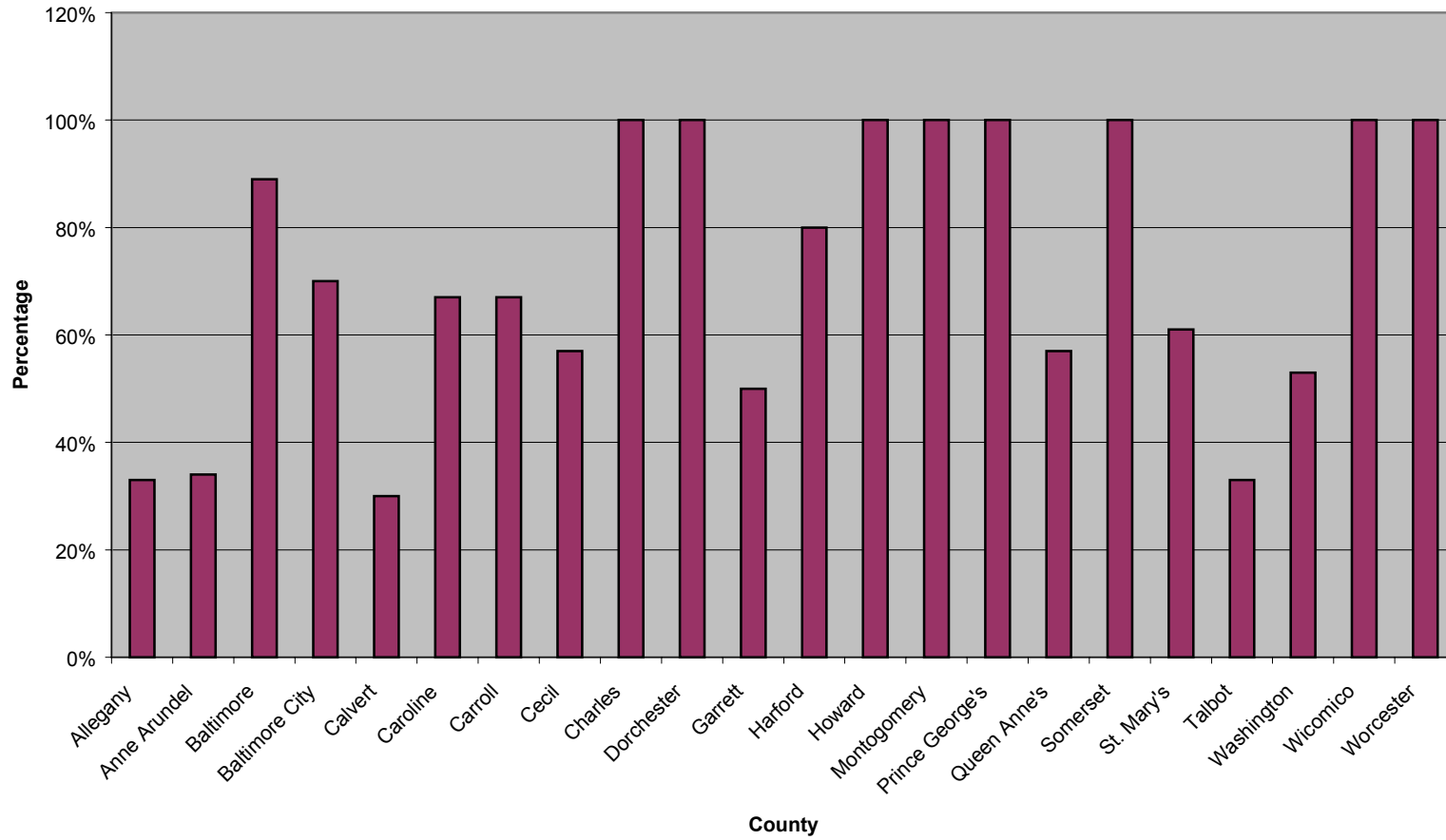


Chart 5: Number of State Offices Reporting Languages, by County (from the official written survey of State offices)

County	Language																													
	Spanish	Asian	Korean	Vietnamese	Cantonese	Hmong	Tagalog	Chinese (Mandarin)	Russian	Ukrainian	Greek	Serbian/Croatian	Italian	European	French	African	Farsi	German	Portuguese	Haitian Creole	Arabic	Yoruba	Tigrigna	Twi	Swahili	Igbo	Hebrew	Middle Eastern	Hispanic	
Allegany	4		1	1	1			1	1			1							1		1				1					
Anne Arundel	4		2	1		1	1	2	3	1		1	1		3			1		1	2									
Baltimore City	6		4	1	1		1	1	3	1	1	1	1		1		1	2		1		1			1	1	1			
Baltimore Co	5	2	3	3	1	1	1	2	5	2	1	1	1	2	1	1	2	2	1	1	2	1	1	1		1	1	2	1	
Calvert	4				1				1								1	1												
Caroline	3				1															3										
Carroll	3	1	1	1				1	1								1				1									
Cecil	2								1			1																		
Charles	4		1	1	1									2	1															
Dorchester	2								1	1										1										
Frederick	3	1																											1	
Garrett	1																													
Harford	4		2	2	1				4		1	1	1	1	1		1	1			2						2			
Howard	4		3	1				1	2			1			2		2									1				
Kent	2								1																					
Montgomery	5	1	3	3	1		1	3	2				2		3		1	3	2	1	1						1			
Prince Georges	5		1	2	1		1	2					1		1					1	1									
Queen Anne's	3			2	1				1					1	1	1												1		
Somerset	4																			1										
St. Mary's	3	1	1	1	1		1	2	2	1	1		1	1	1	1		1				1						1		
Talbot	3	1	2	1	2		1	1	2			1			1			2	2									1		
Washington	7		1	1				2	2	2		1		1						1	1									
Wicomico	6	1	5	1	1			2	1			1			2		2			2	1							1		
Worcester	2		2						1											1										

Chart 6: Number of Offices of Maryland State Departments Reporting LEP Clients (from the official written survey of State offices)

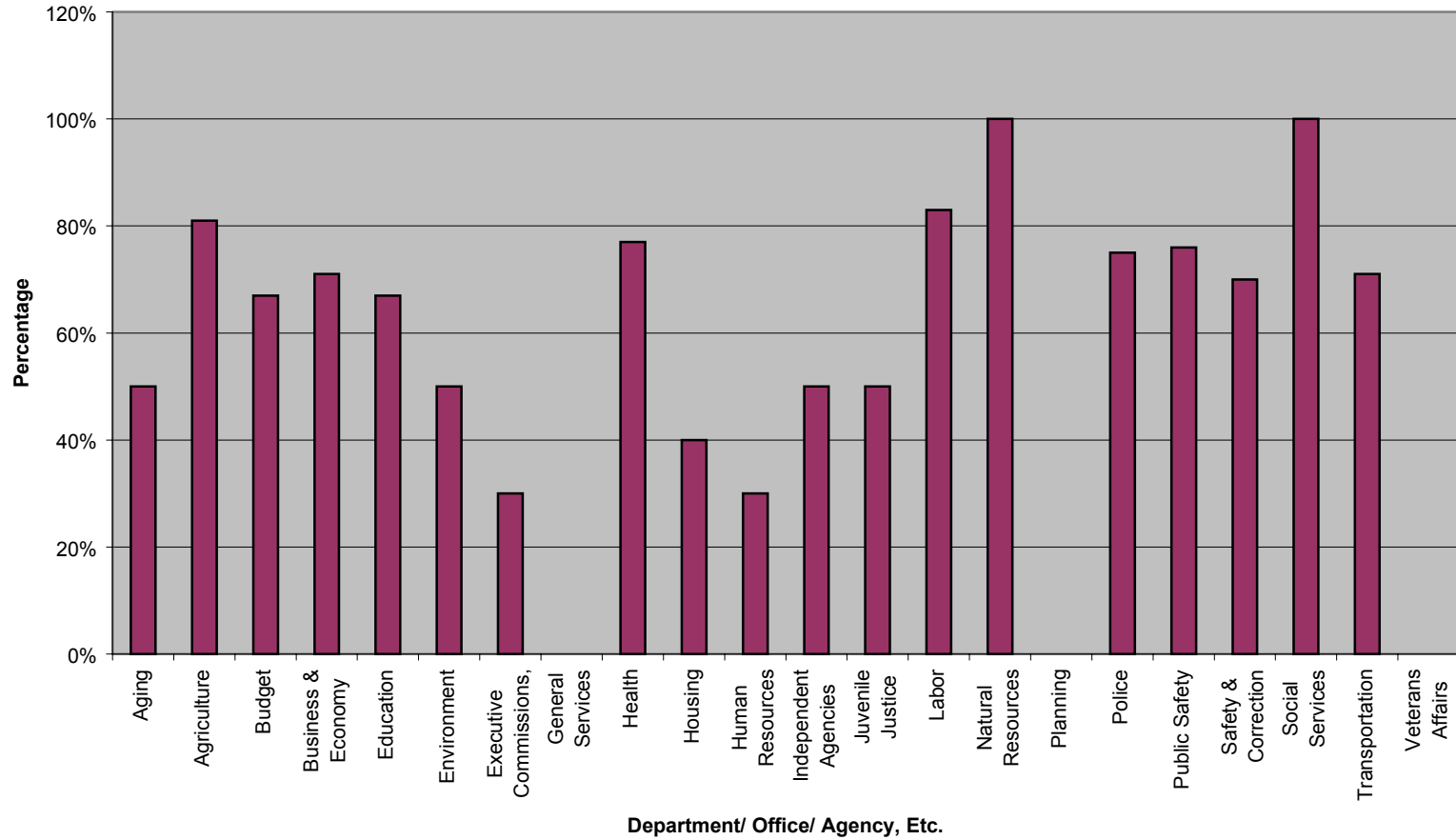
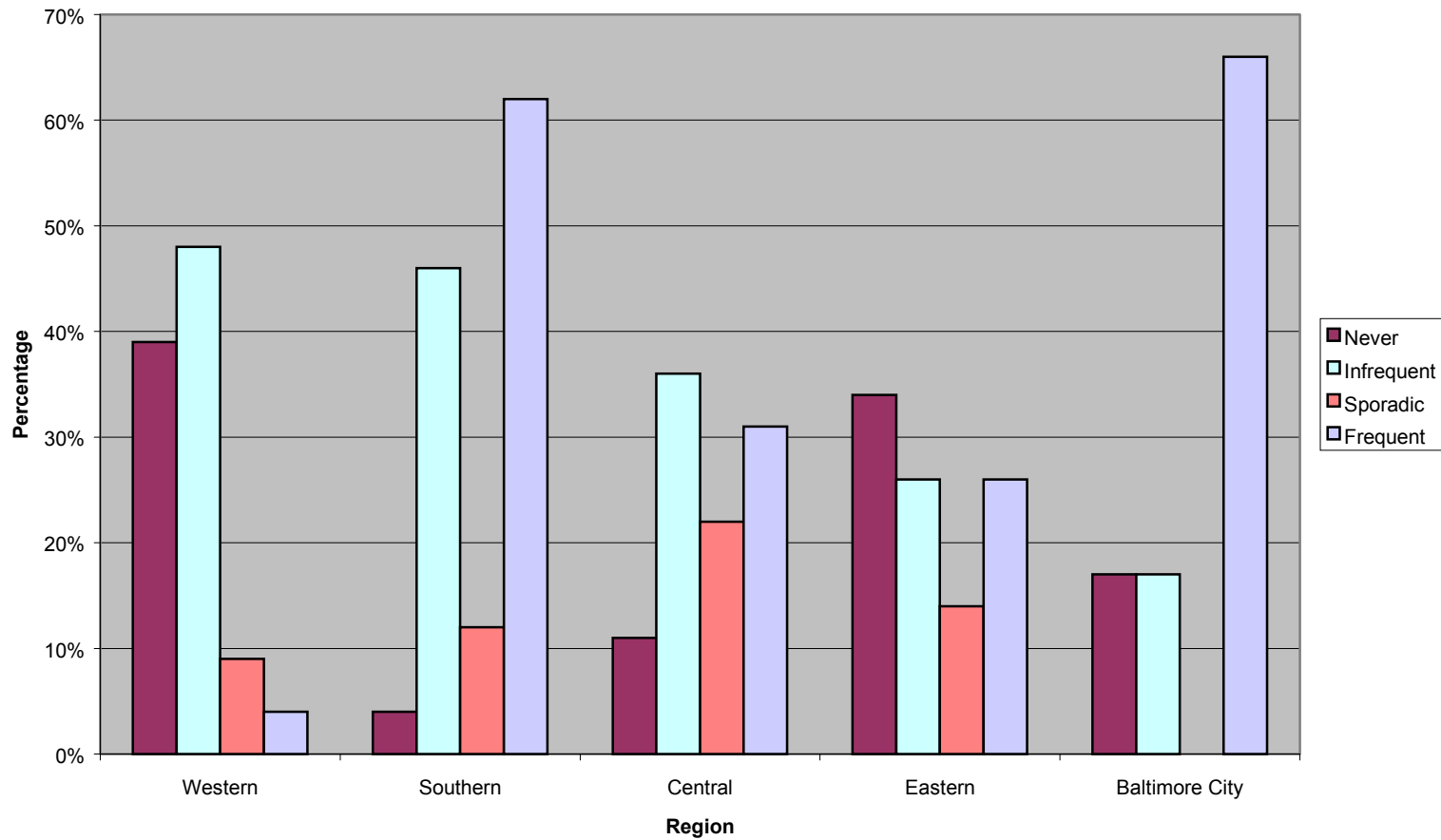


Chart 7: Languages Spoken by LEP Clients by Department (from the official written survey of State offices)

LANGUAGE	AGING	AGR.	BUDGET & FINANCE	BUSINESS ECONOMY	MSDE	ENVIRONMENT	EXEC COMTES.	GENERAL SERVICES	DHMH	HOUSING	HUMAN RESOURCES	IND. AGENCIES	JUVENILE JUSTICE	DLLR	NATURAL RES.	PLANNING	STATE POLICE	PUBLIC SAFETY	SAFETY & CORR.	SOCIAL SERVICES	TRANS.	VETERAN S AFFAIRS	Total
Spanish	6	13	2	2	32	1	1		24	1	1	12	3	8	1		12	14	17	17	4		173
Russian	5	12	2	1	14		1		11		2	4		2			3	2	3	6	1		69
Korean	2		2		16	1	1	8			2	9	1	1	1		3	3	6	7	1		64
Vietnamese	1				13		1		5	1	2	5	1	2	1		2		3	5			42
Man. Chinese				3	12				4		2	6					4	1	5	3	1		41
German		12		2	5				1		1	2	1	1			1	2	2	4	2		36
French	1			2	8				2		1	4	1	1			4	1	2	4			33
Tagalog		12			6	1			1		1	1							1	2			25
Cantonese				1	10		1		1		1	3					1		2	2	1		23
Haitian Creole					4				6		2	1		1			1	1	4	2			22
Asian				1	4		1		4	1	1	4						1	1	1	3		22
Arabic					6	1			2			4					1	1	2	3	1		21
European					7				3			2	2						4	1	1		20
Portuguese					5		1					4		1	1				2	2	3		19
Farsi					7				3			3							1	3	1		18
Italian				1	4	1						1					1	1	1	3	2		15
Hebrew			2	1	4				1			1					2		2	1			14
Serbian/Croatian						1			3			1					1			3			14
Ukrainian	1				3				2			1					2		1	1			11
Greek					4	1						1					2		1	1	1		11
Middle Eastern					4				1											2	2		9
Swahili			2		2	1						1	1							1	1		9
African					4		1					1							1		2		9
Igbo			2		1							1					1			2			7
Yoruba					2							1								1			4
Hispanic					1													1			1		3
Hmong					1							1								1			3
Tigrigna					1							1											2
Hausa												1											1
Twi					1																		1

Chart 8a: Frequency of Contact with LEP Clientele as Reported by State Offices, by Region (from the official written survey of State offices)



* Baltimore City reported no sporadic contact

Chart 8b: Frequency of Contact with LEP Clientele as Reported by State Employees, by Region (from the telephone survey of State employees)

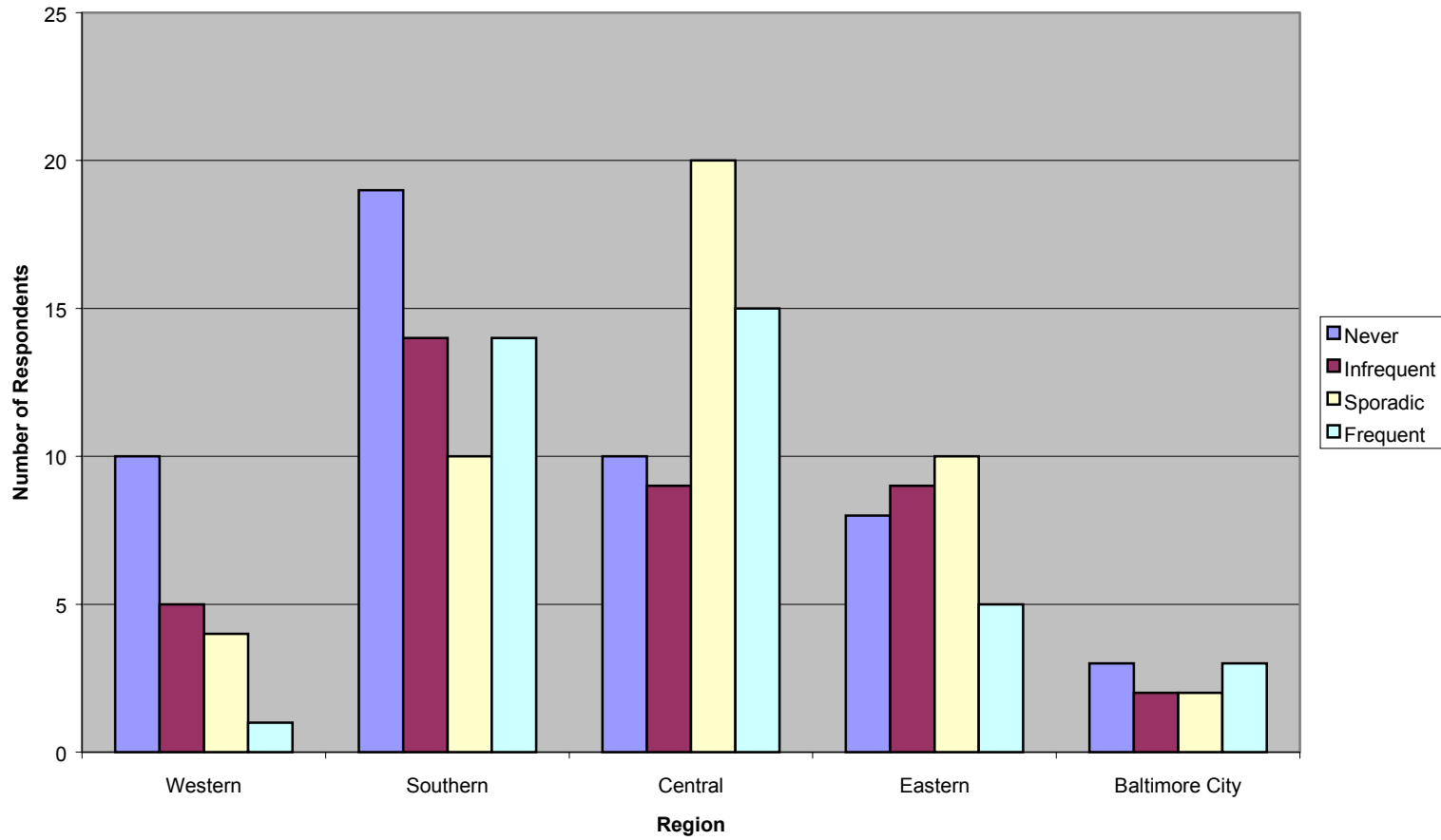


Chart 9a: Frequency of Contact with LEP Clientele as Reported by State Offices, by County (from the official written survey of State offices)

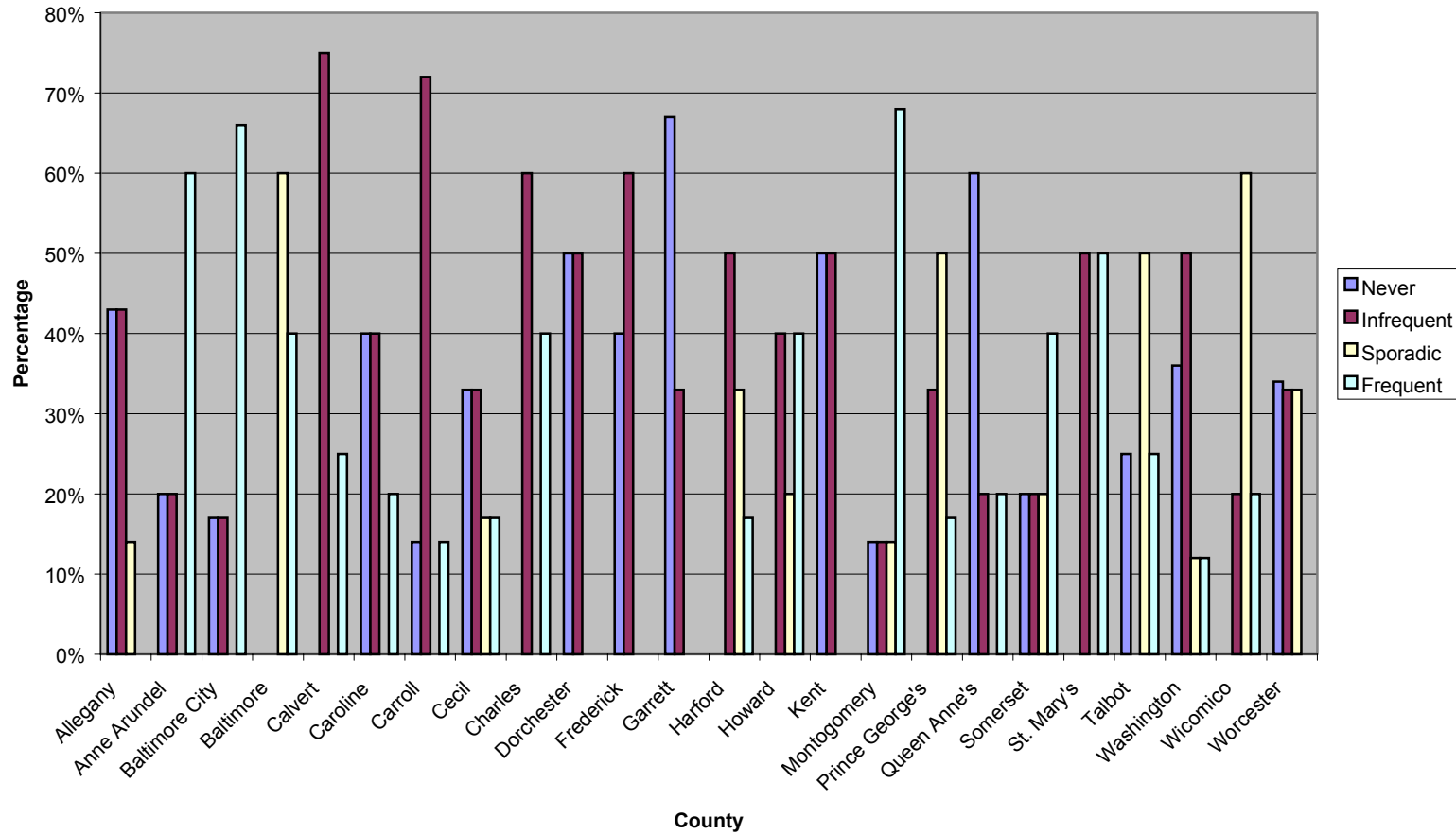


Chart 9b: Frequency of Contact with LEP Clientele as Reported by State Employees, by County (from the telephone survey of State employees)

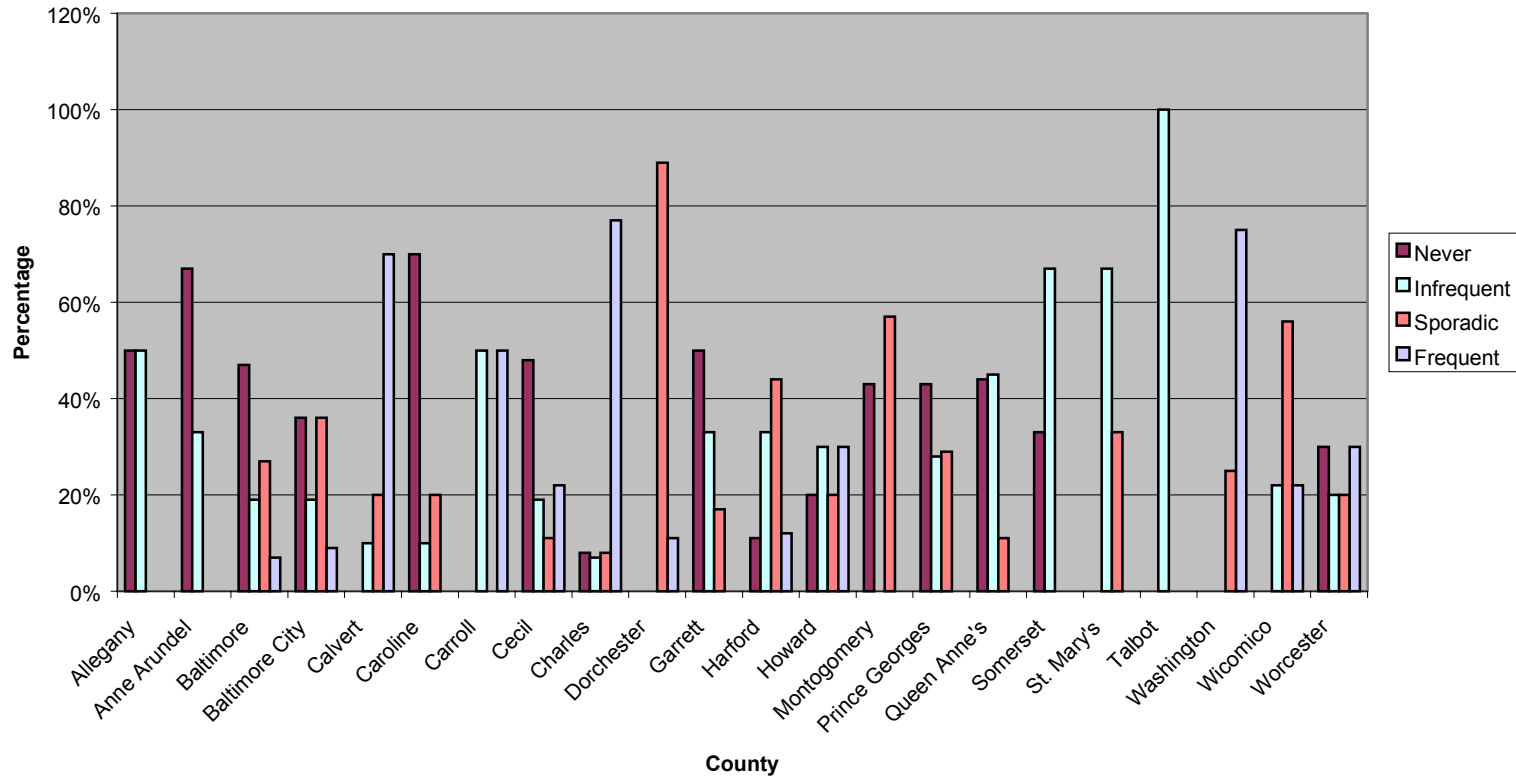


Chart 10: Frequency of Contact with LEP Clientele as Reported by State Offices, by Language (from the official written survey of State offices)

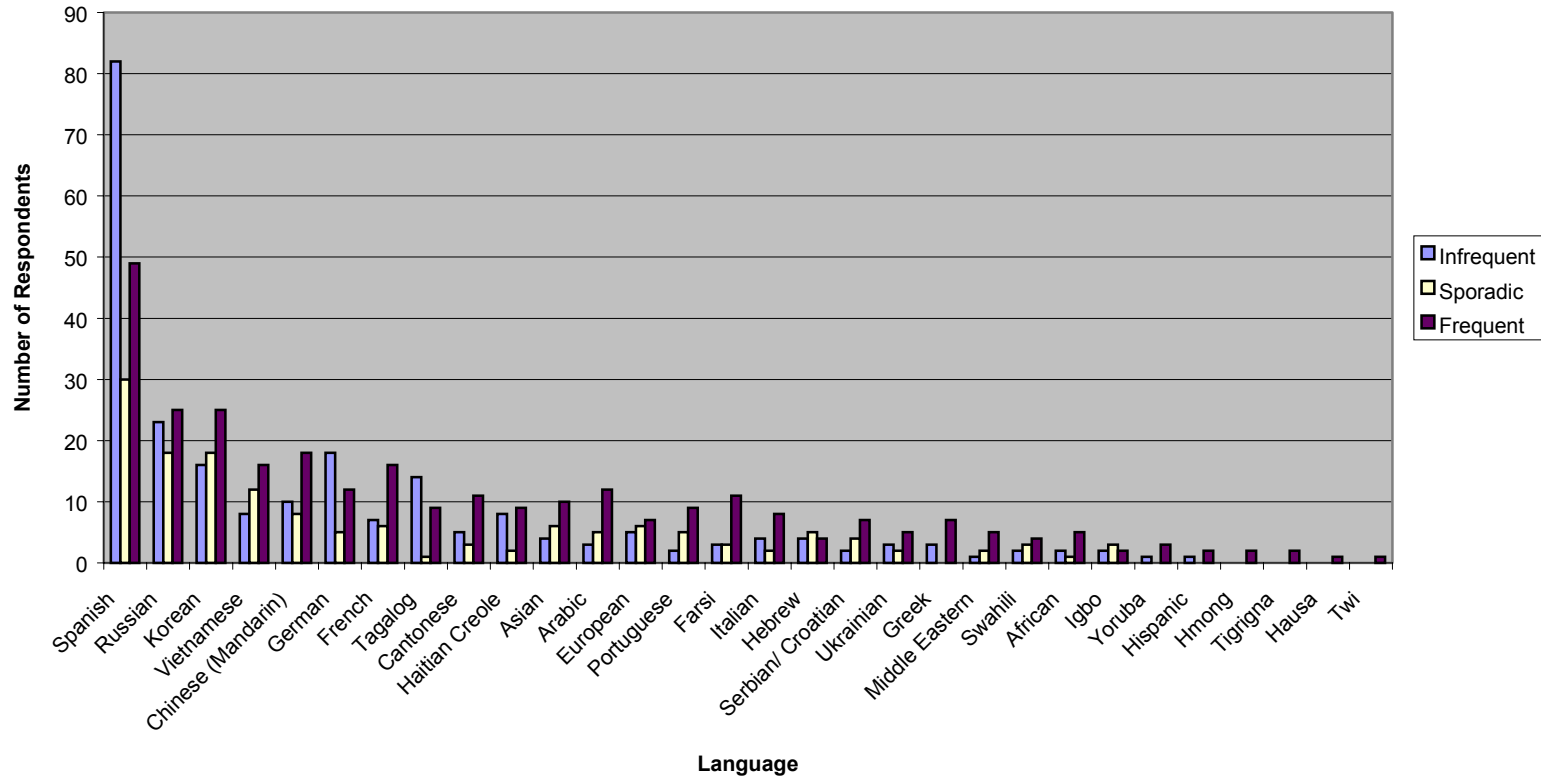


Chart 11: Frequency of LEP Clients/Contacts by State Office (from the official written survey of State offices)

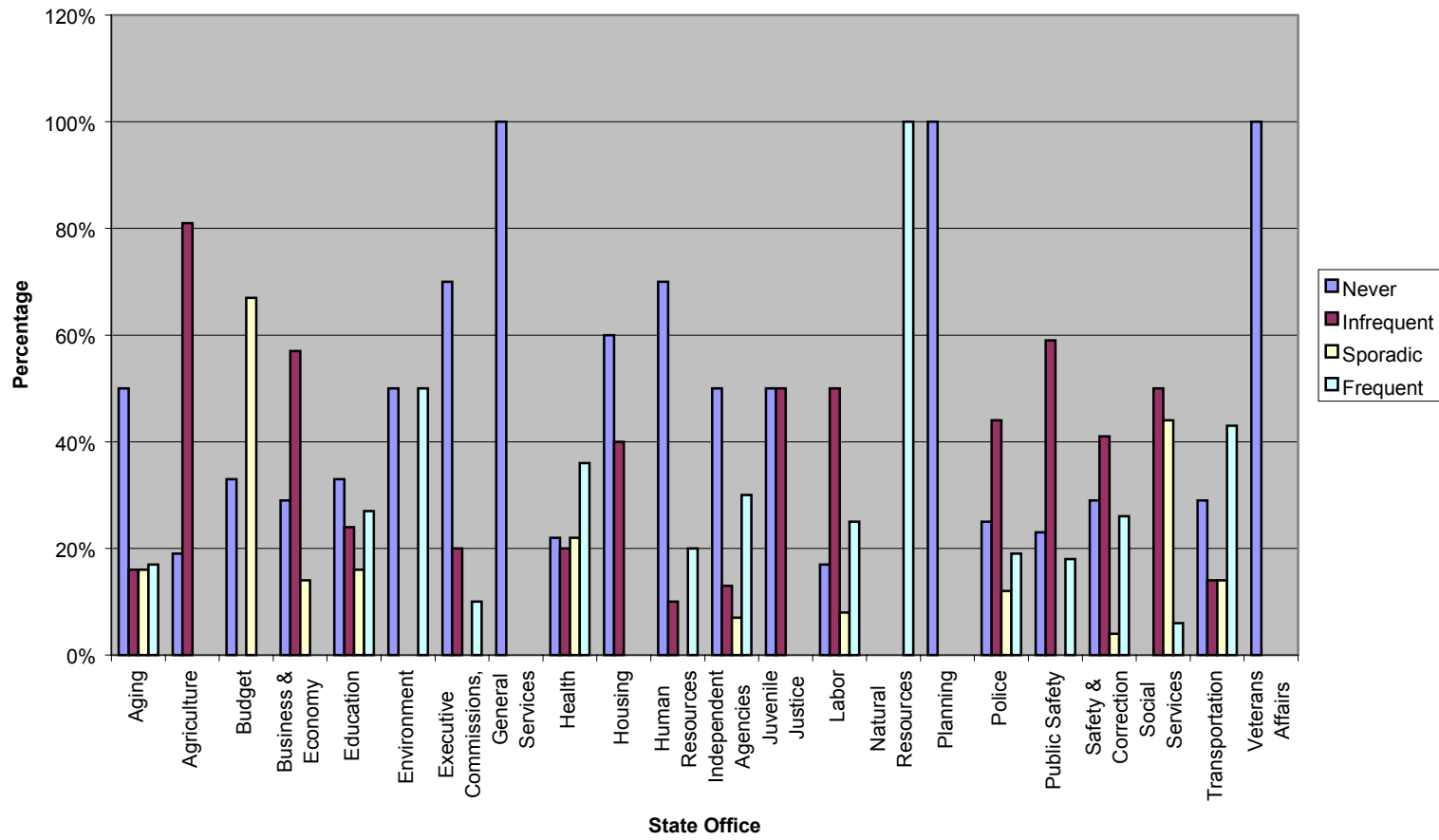


Chart 12a: Delays due to Language Barriers, as reported by State offices

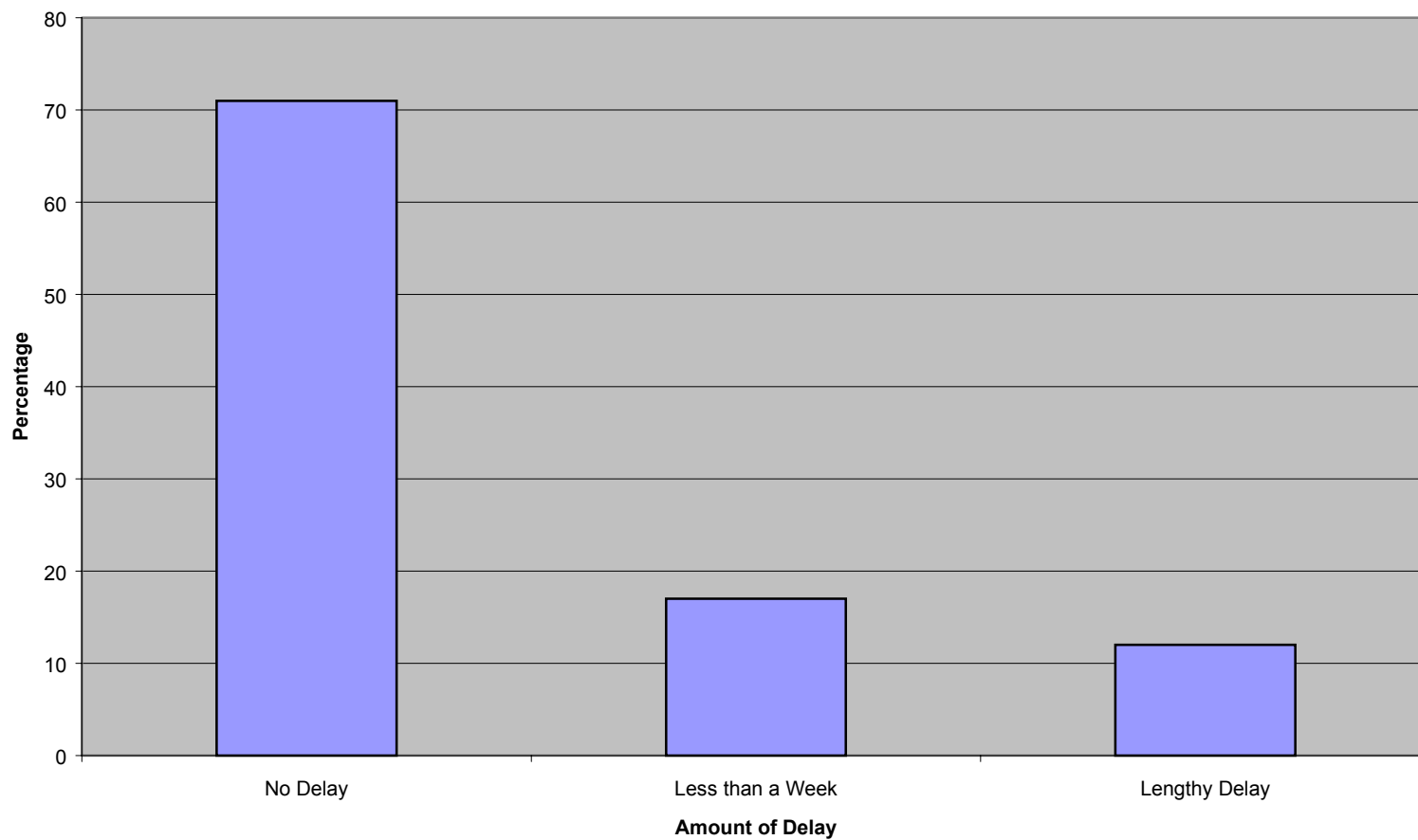


Chart 12b: Delays due to Language Barriers, as Reported by State employees

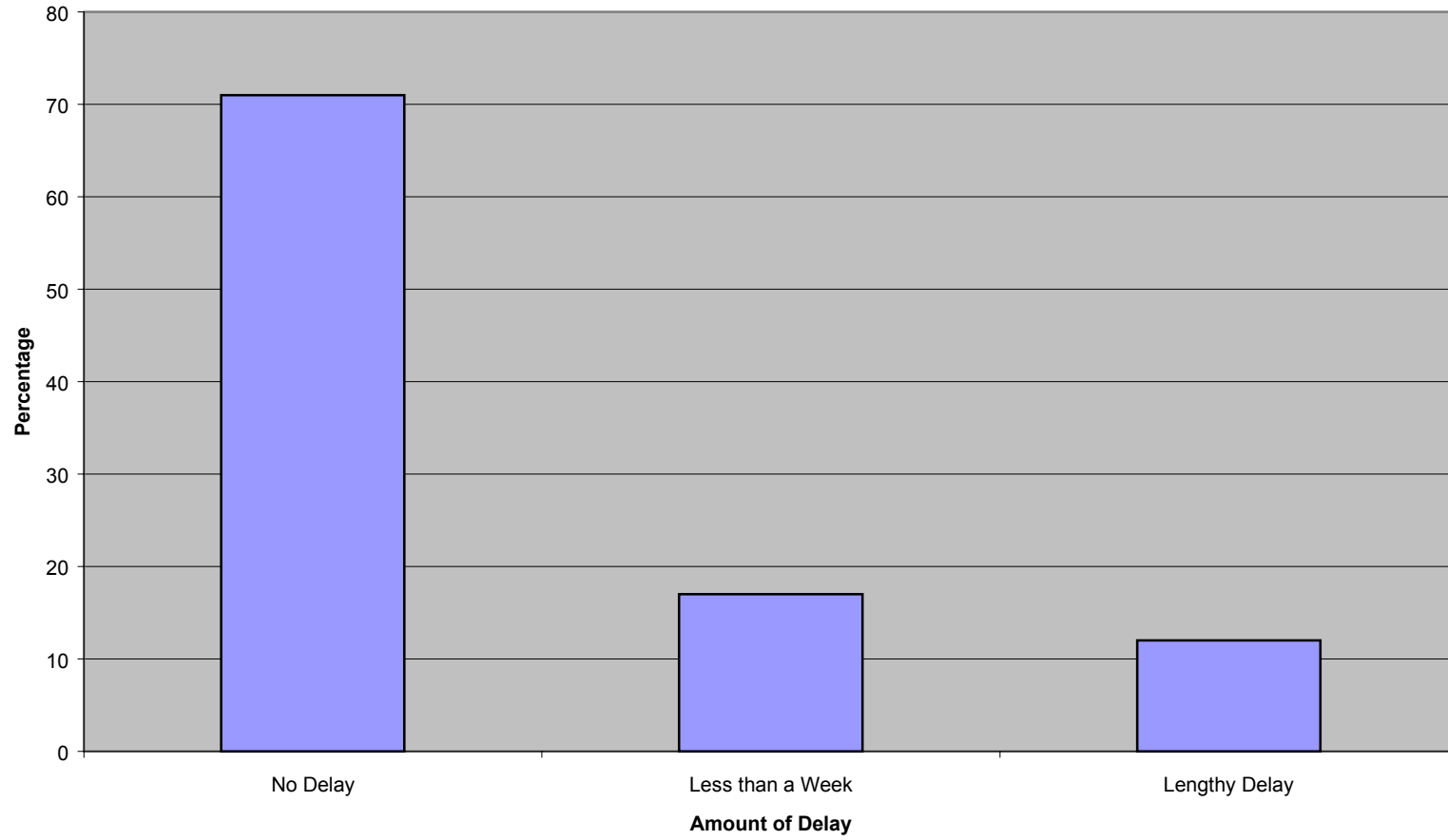


Chart 13a: Delays due to Language Barriers, as Reported by State Offices, by Language (from the official written survey of State offices)

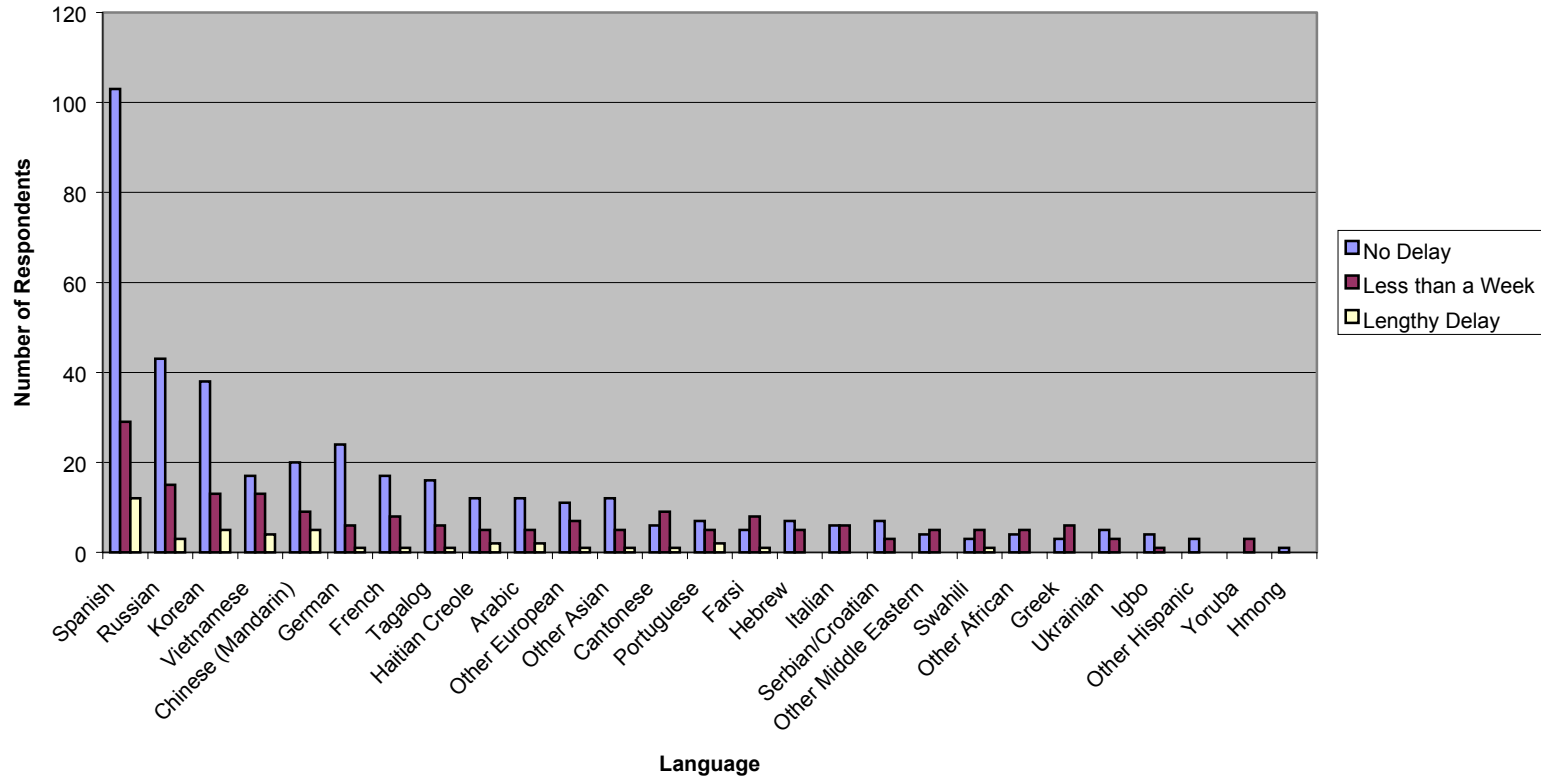


Chart 13b: Delays due to Language Barriers, as Reported by State Employees, by Language (from the telephone survey of State employees)

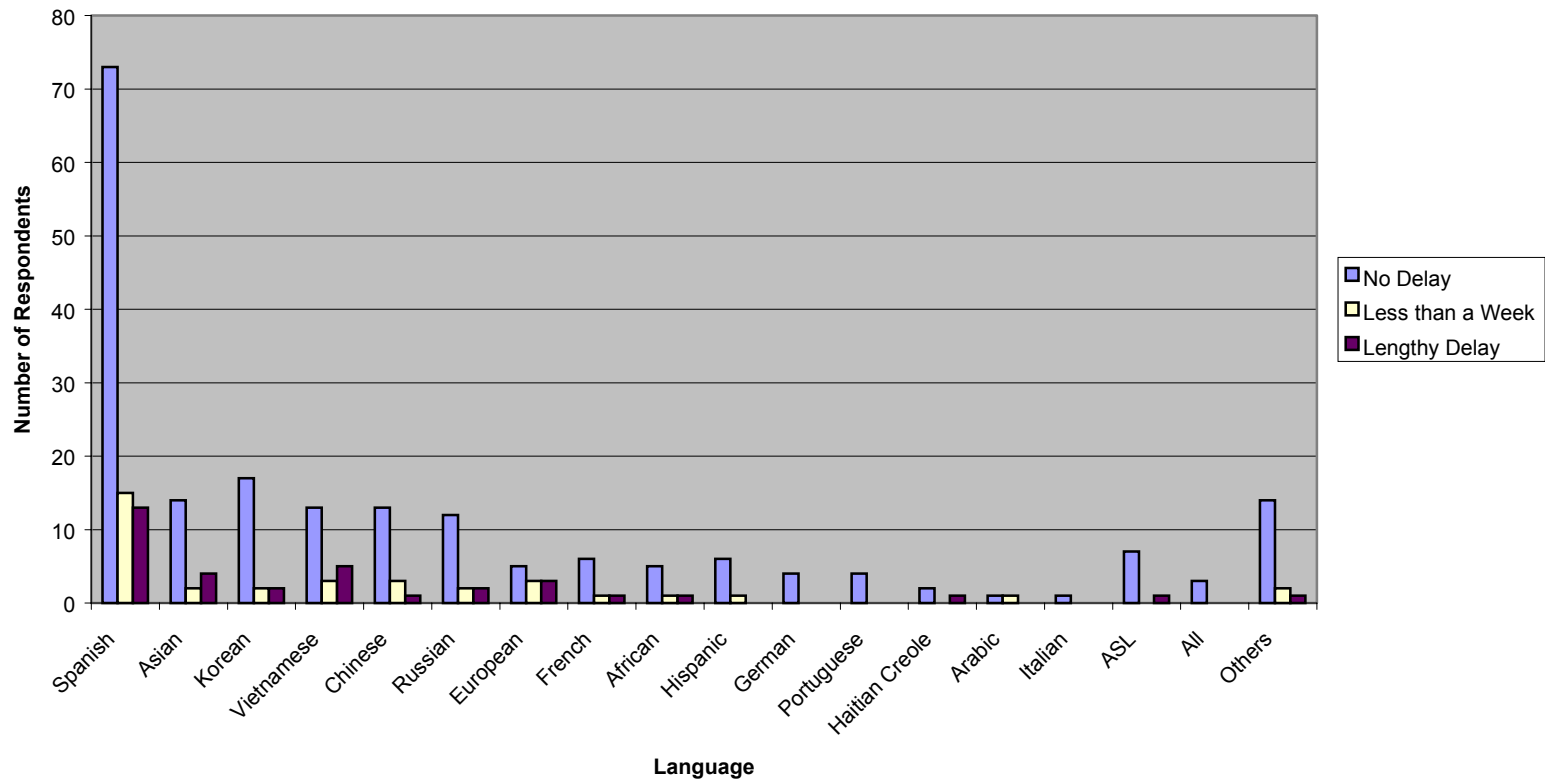


Chart 14a: Delays due to Language Barriers as Reported by State Offices, by Frequency of Encounter with LEP Clients (from the official written survey of State offices)

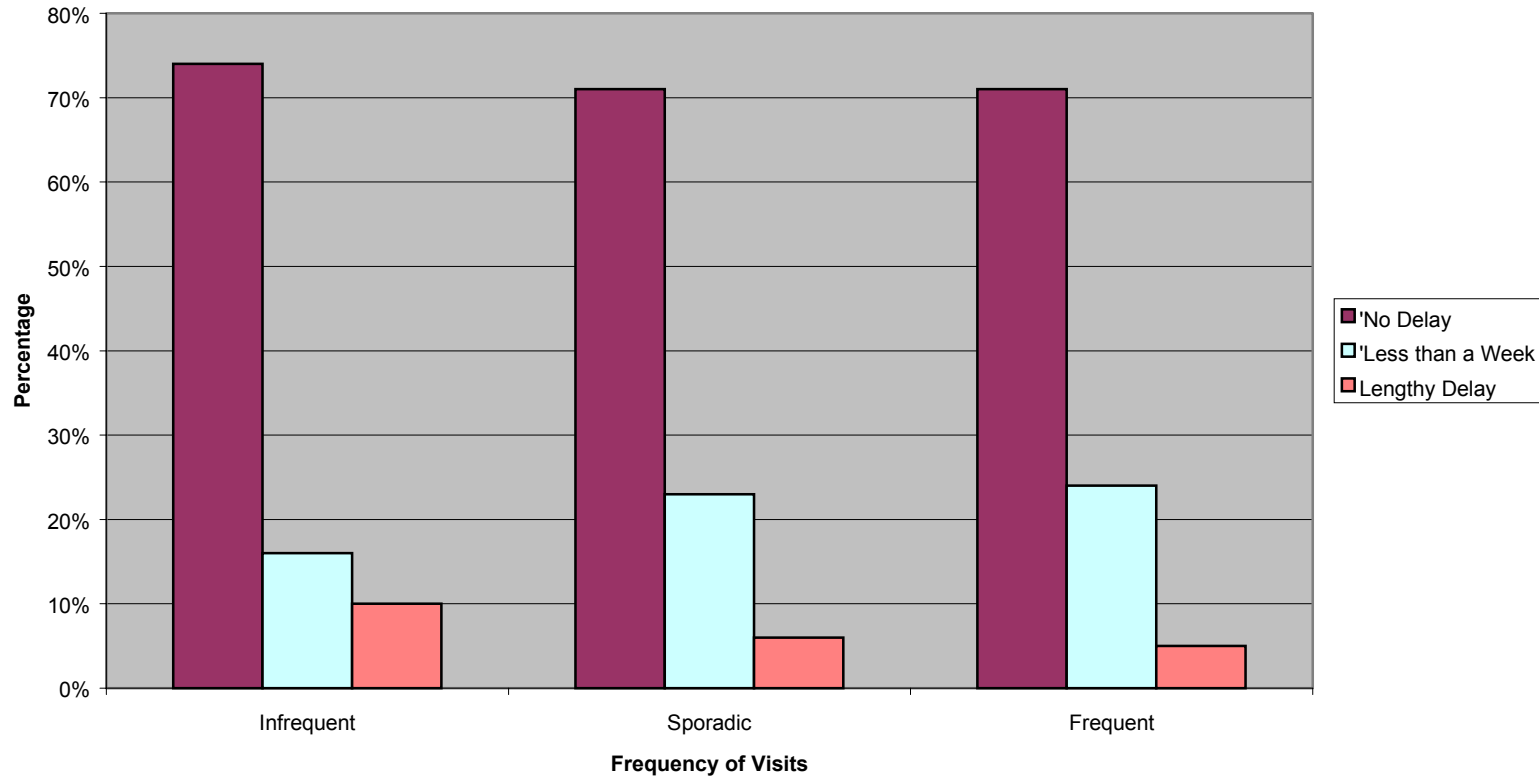


Chart 14b: Delays due to Language Barriers, as Reported by State Employees, by Frequency of Encounters with LEP Clients (from the telephone survey of State employees)

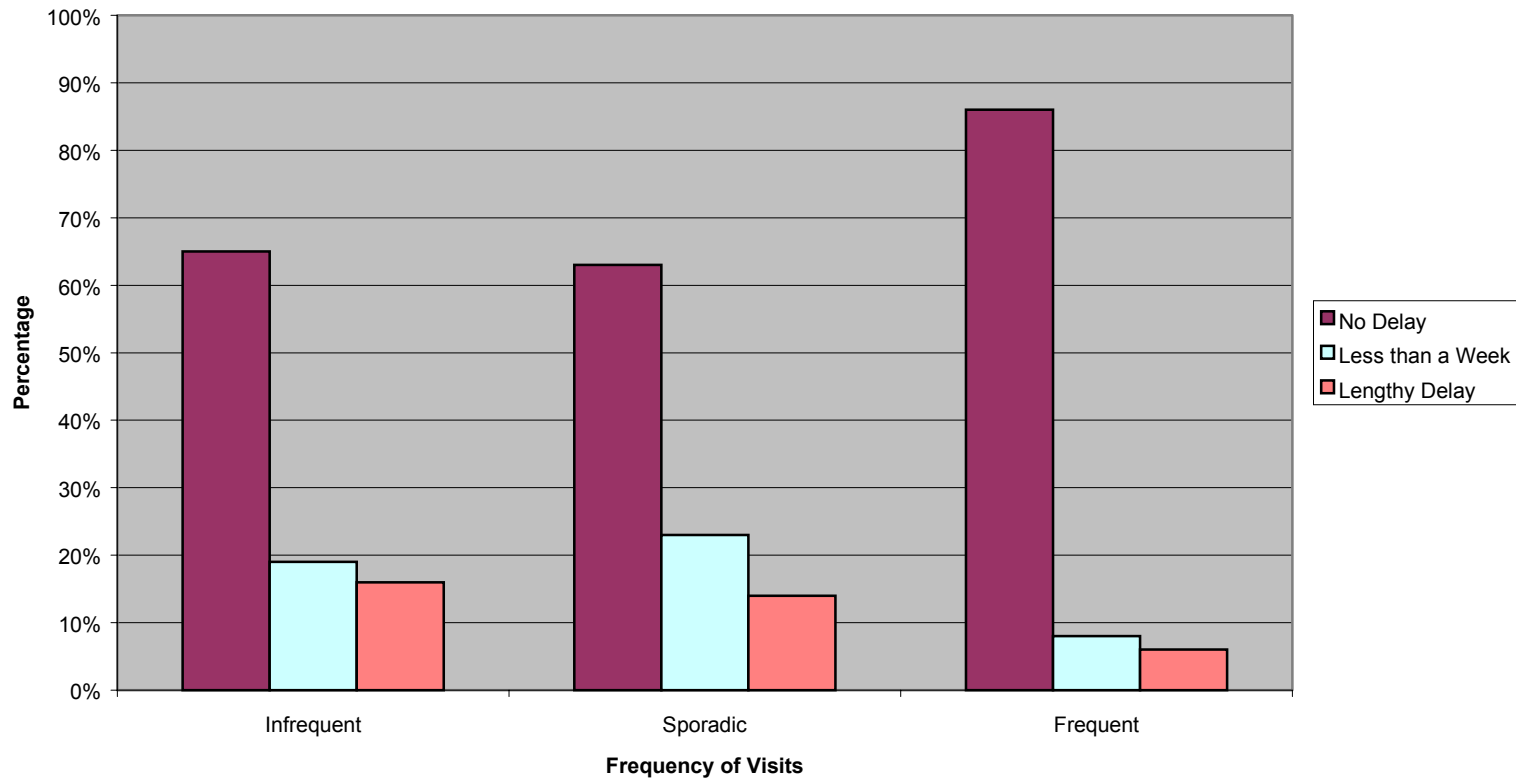


Chart 15a: Delays due to Language Barriers, as Reported by State Offices, by Region (from the official written survey of State offices)

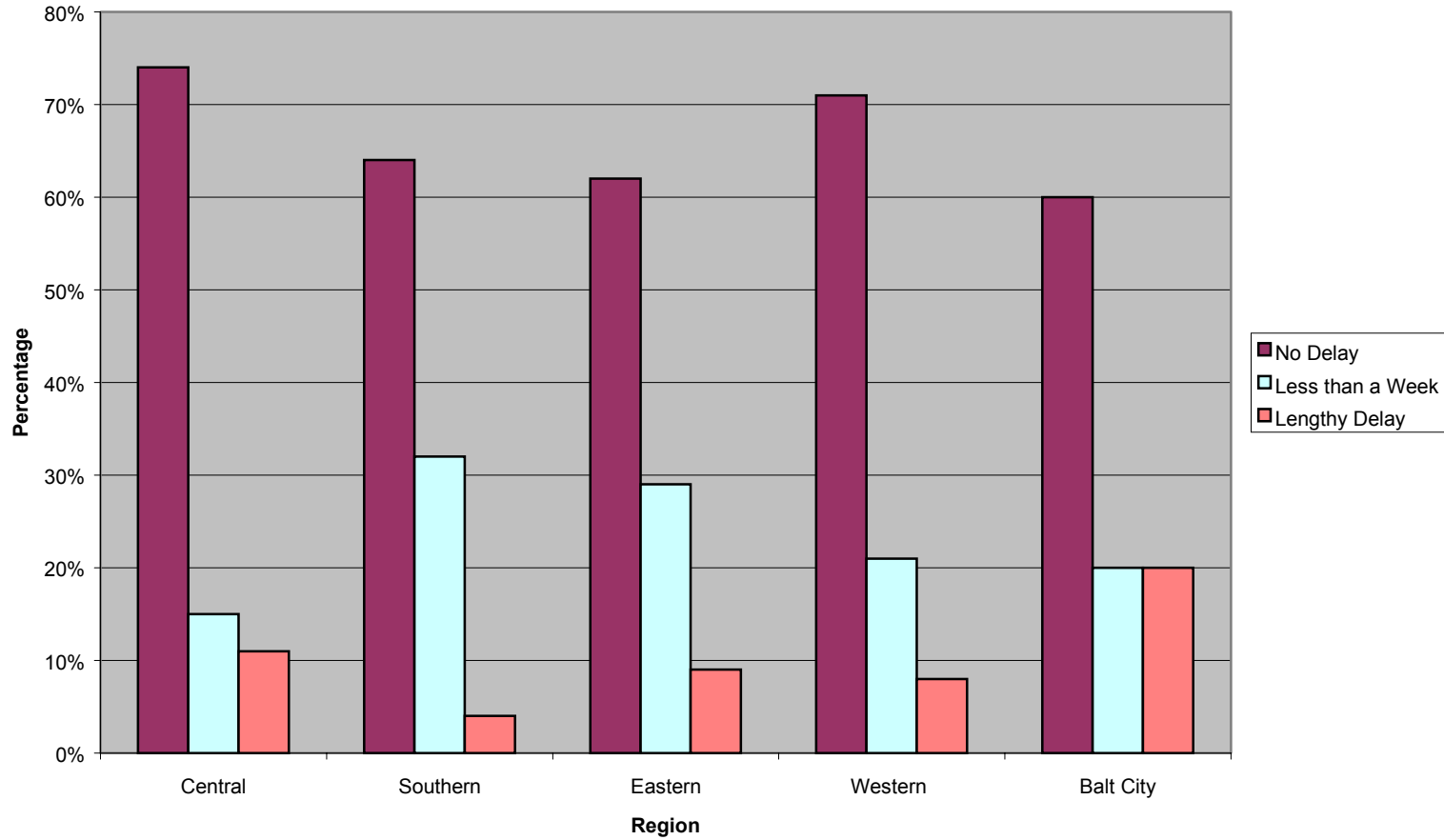


Chart 15b: Delays Due to Language Barriers, as Reported by State Employees, by Region (from the telephone survey of State employees)

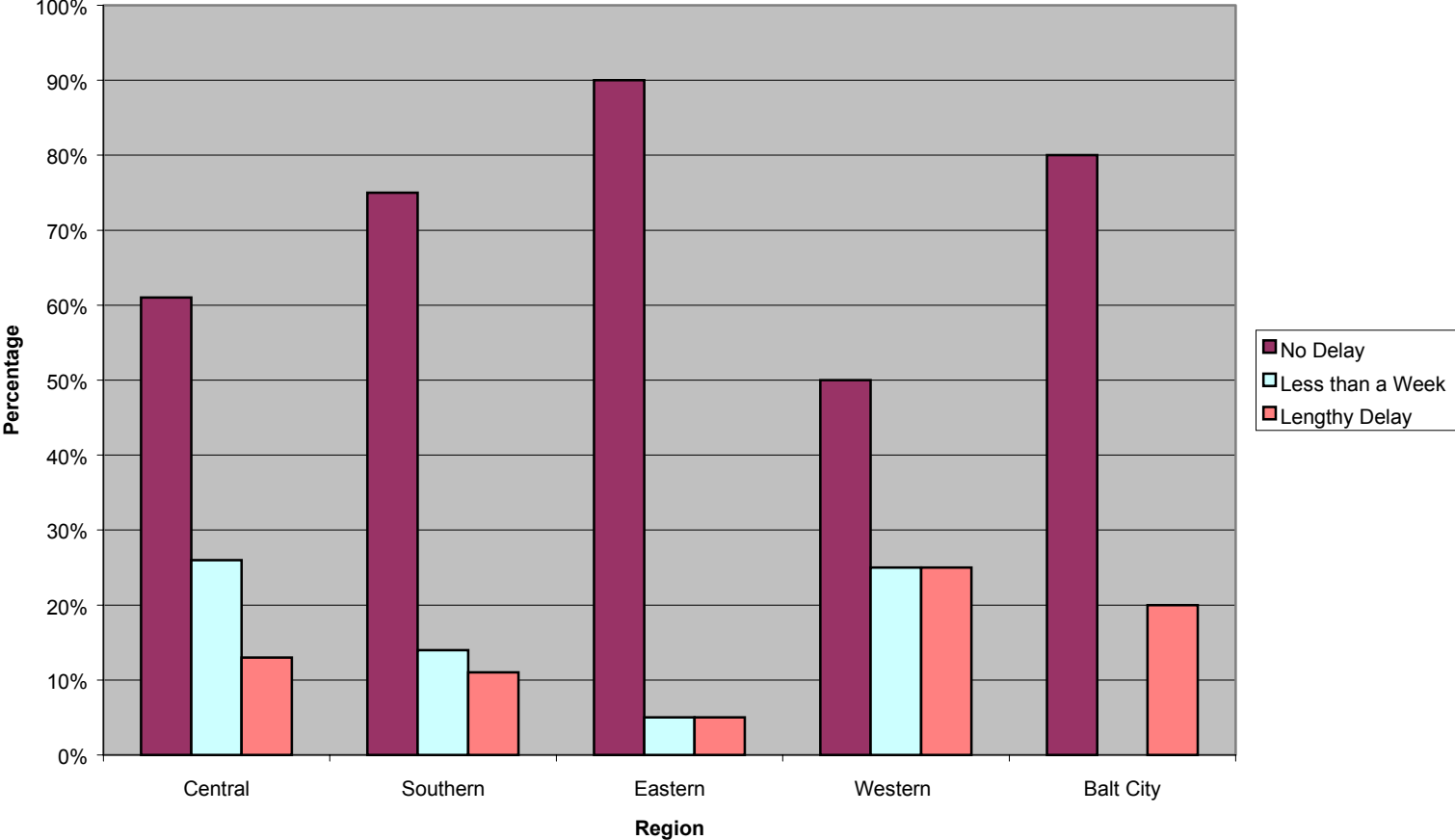


Chart 16a: Methods Used to Overcome Language Barriers, as Reported by State Offices (from the official written survey of State offices)

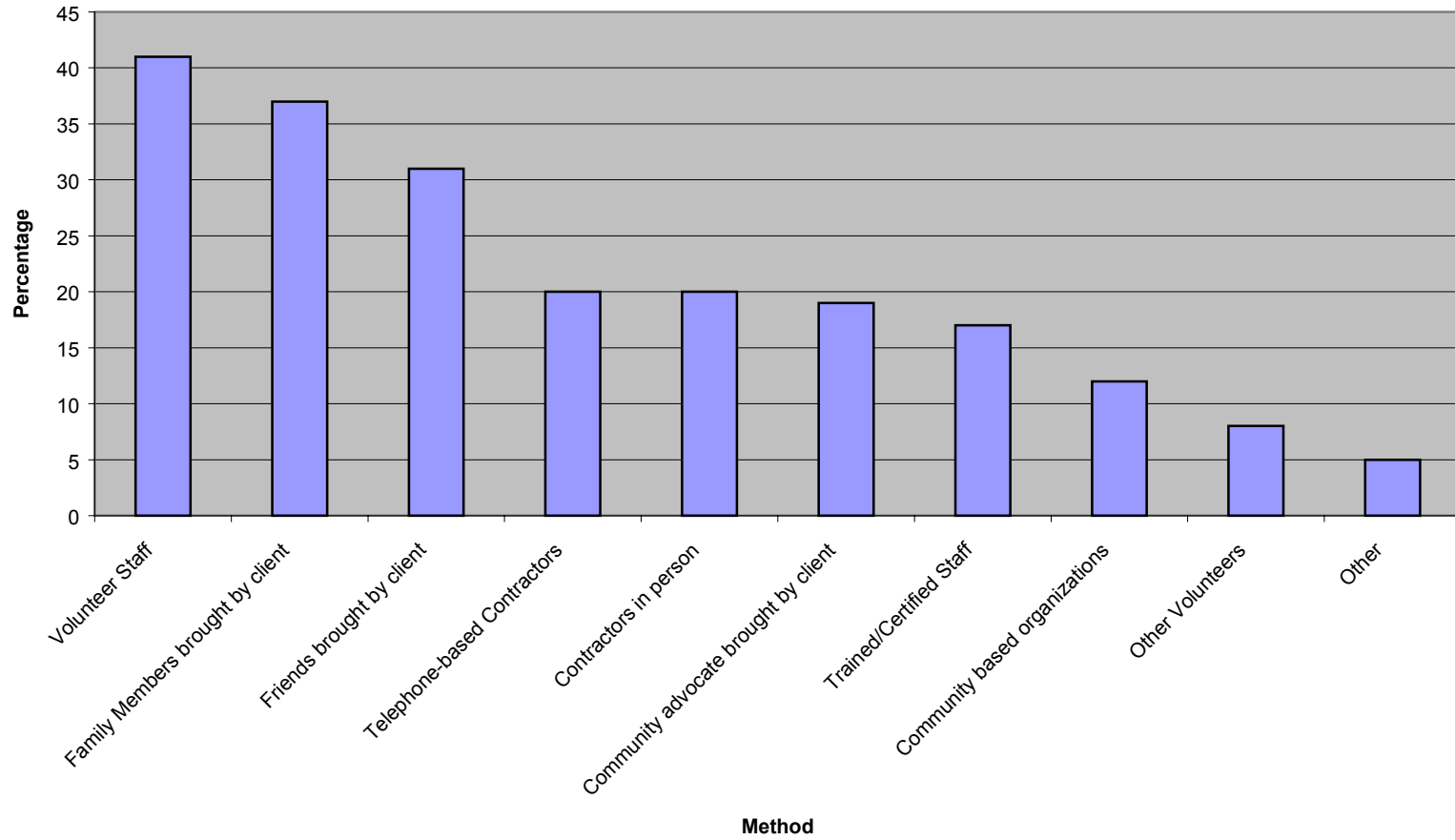


Chart 16b: Methods Used to Overcome Language Barriers, as Reported by State Employees (from the telephone survey of State employees)

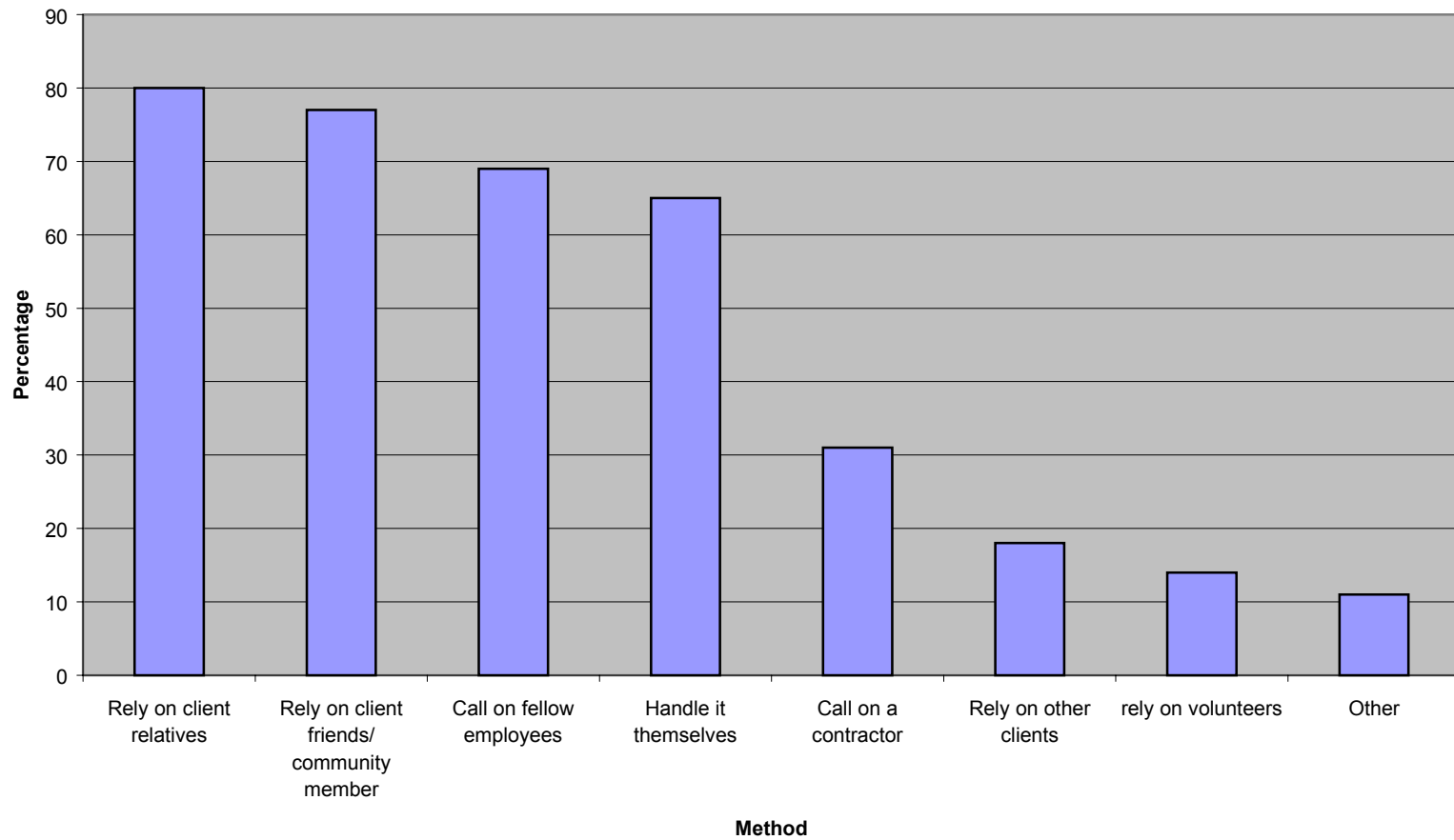


Chart 17: Methods Used Most Often to Overcome Language Barriers, as Reported by State Employees (from the telephone survey of State employees)

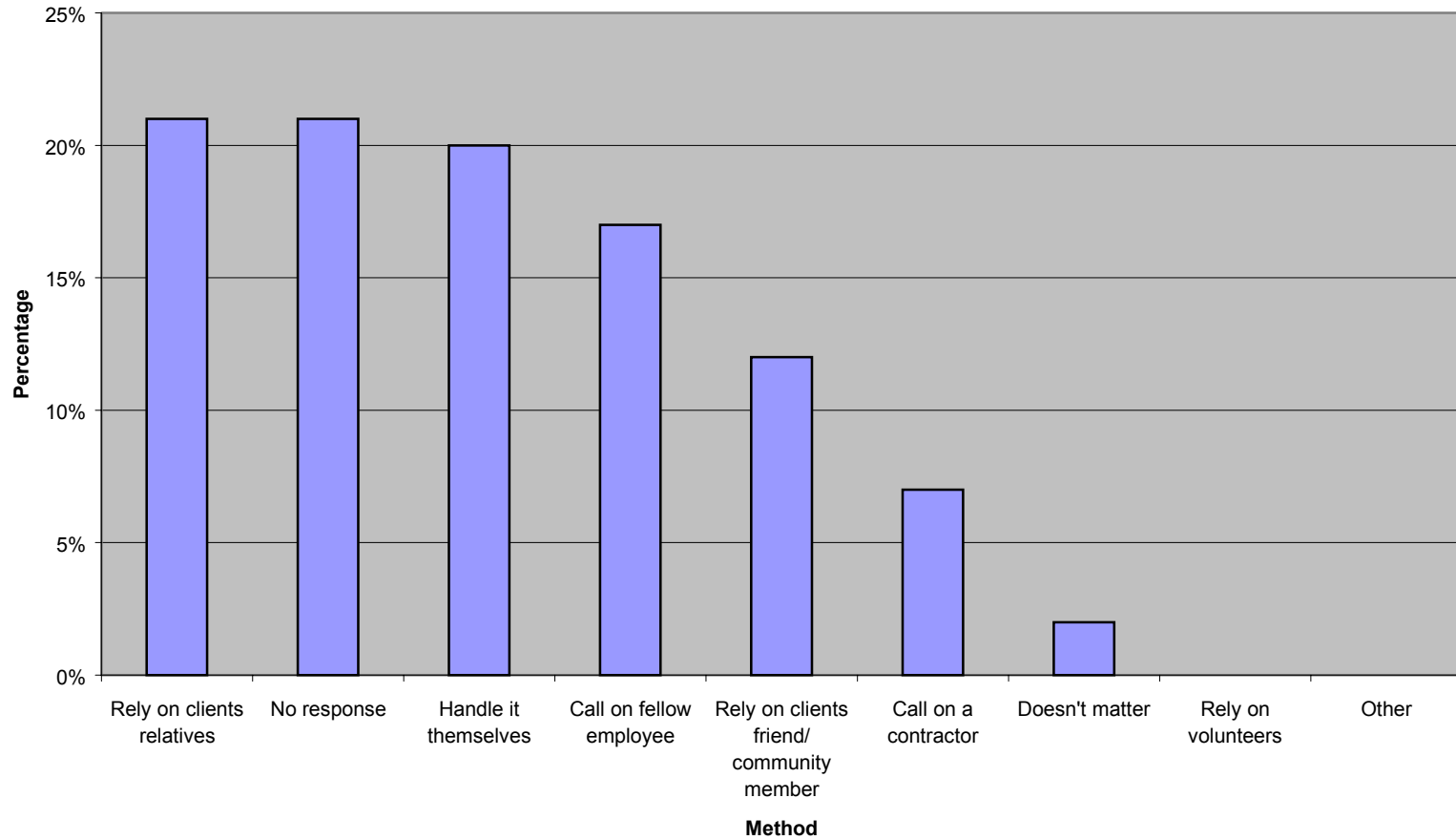


Chart 18: Methods Preferred for Overcoming Language Barriers, as Reported by State Employees (from the telephone survey of State employees)

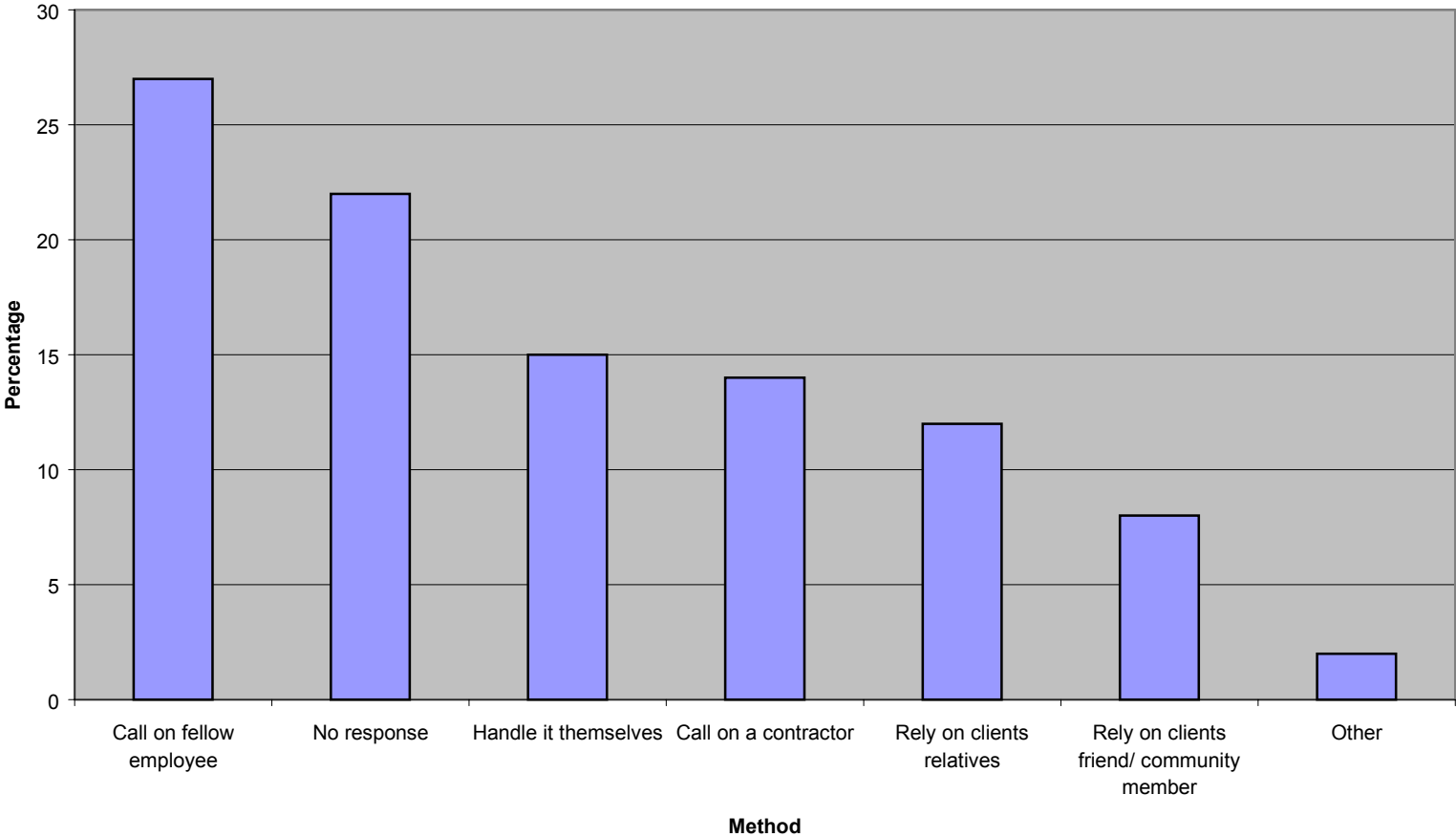


Chart 19: Knowledge of Policies and Procedures, as Reported by State employees (from the telephone survey of State employees)

Policies or Procedures?	n*	%
Yes	83	48
No	54	31
Don't Know	33	19
No response	3	2
Total	173	100

Chart 20: Existence of Procedures to Monitor LEP Impact, as Reported by State Offices (from the official written survey of State offices)

Tracking System?	n*	%
No	233	76
Yes	54	18
No Response	20	6
Total	307	100

Chart 21a: Availability of Staff Training in LEP Policies and Procedures, as Reported by State Offices (from the official written survey of State offices)

Training Available?	n*	%
No	225	73
Yes	66	22
No response	16	5

Chart 21b: Knowledge of Staff Training in LEP Policies and Procedures, as Reported by State employees (from the telephone survey of State employees)

Training Available?	n*	%
No	77	45
Yes	70	40
Don't know	23	13
No response	3	2

* n is the number of employees who responded with this answer

APPENDIX B: SENATE BILL 542

SENATE BILL 542

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P1

2001 Regular Session
11r1740
CF 11r1515

By: **Senators Sfikas, Collins, Conway, Currie, Dorman, Dyson, Exum, Frosh, Green, Hoffman, Hollinger, Hooper, Hughes, Kelley, Lawlah, McFadden, Mitchell, Pinsky, Ruben, Stone, and Teitelbaum Teitelbaum, Mooney, and Jimeno**

Introduced and read first time: February 2, 2001
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: March 23, 2001

CHAPTER _____

1 AN ACT concerning

2 **State Government - ~~Access to State Agencies~~ Survey of State**
3 **Departments,**
4 **Agencies, and Programs - Persons with Limited English Proficiency**

4 FOR the purpose of stating the intent of the General Assembly that State agencies are
5 authorized to provide services to persons with limited English proficiency;
6 ~~requiring certain documents distributed to the public by State agencies to be~~
7 ~~translated into any language spoken by a certain percentage of either the State~~
8 ~~population or the population within the geographic service area of a local office~~
9 ~~of a State agency; requiring State agencies to promulgate certain regulations by~~
10 ~~a certain date; defining certain terms; and generally relating to access of State~~
11 ~~agencies by persons with limited English proficiency~~ defining certain terms;
12 requiring that State agencies survey the need for certain services and the
13 measures taken to provide certain services; requiring the Department of Human
14 Resources to develop and distribute certain surveys and review certain
15 information; requiring the Department of Human Resources to make certain
16 recommendations and develop certain budgets if certain conditions exist;
17 requiring the Department of Human Resources and the Department of Planning

18 to prepare certain estimates; requiring the Department of Human Resources to
19 issue a certain report on or before a certain date; and providing for the
20 termination of this Act.

21 ~~BY adding to~~
22 ~~Article State Government~~
23 ~~Section 10-1101 through 10-1103, inclusive, to be under the new subtitle~~
24 ~~"Subtitle 11. Language Access"~~

1 Annotated Code of Maryland
2 (1999 Replacement Volume and 2000 Supplement)

3 SECTION 1. ~~BE IT ENACTED BY THE GENERAL ASSEMBLY OF~~
4 ~~MARYLAND, That the Laws of Maryland read as follows:~~

5 **~~Article – State Government~~**

6 **~~SUBTITLE 11. LANGUAGE ACCESS.~~**

7 ~~10-1101.~~

8 ~~THE GENERAL ASSEMBLY FINDS THAT THE INABILITY TO SPEAK AND~~
9 ~~UNDERSTAND THE ENGLISH LANGUAGE IS A BARRIER THAT PREVENTS~~
ACCESS TO
10 ~~STATE DEPARTMENTS, AGENCIES, AND PROGRAMS, AND THAT THE SERVICES~~
11 ~~AVAILABLE THROUGH THESE ENTITIES ARE ESSENTIAL TO THE WELFARE OF~~
12 ~~MARYLAND RESIDENTS. IT IS THE POLICY OF THE STATE THAT STATE~~
13 ~~DEPARTMENTS, AGENCIES, AND PROGRAMS SHALL PROVIDE EQUAL ACCESS~~
TO
14 ~~PUBLIC SERVICES TO PERSONS WITH LIMITED ENGLISH PROFICIENCY.~~

15 ~~10-1102.~~

16 (A) ~~IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS~~
17 ~~INDICATED:~~

18 (B) ~~"EQUAL ACCESS" MEANS TO BE INFORMED OF, PARTICIPATE IN, AND~~
19 ~~BENEFIT FROM SERVICES OFFERED BY A STATE DEPARTMENT, AGENCY, OR~~
20 ~~PROGRAM, AT A LEVEL EQUAL TO ENGLISH PROFICIENT PERSONS.~~

21 (C) ~~"FORMS AND DOCUMENTS" MEANS ALL APPLICATIONS,~~
EDUCATIONAL OR
22 ~~INFORMATIONAL MATERIALS, NOTICES, AND COMPLAINT FORMS OFFERED~~
BY STATE
23 ~~DEPARTMENTS, AGENCIES, AND PROGRAMS.~~

24 (D) ~~"LIMITED ENGLISH PROFICIENCY" MEANS THE INABILITY TO~~
25 ~~ADEQUATELY UNDERSTAND OR EXPRESS ONESELF IN THE SPOKEN OR~~
WRITTEN
26 ~~ENGLISH LANGUAGE.~~

27 ~~(E) "PROGRAM" MEANS ALL OF THE OPERATIONS OF A STATE~~
DEPARTMENT,
28 ~~STATE AGENCY, OR ANY OTHER INSTRUMENTALITY OF THE STATE.~~

29 ~~10-1103.~~

30 ~~(A) EACH STATE DEPARTMENT, AGENCY, OR PROGRAM SHALL TAKE~~
31 ~~REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES TO~~
PERSONS
32 ~~WITH LIMITED ENGLISH PROFICIENCY.~~

33 ~~(B) EQUAL ACCESS SHALL BE ACHIEVED BY:~~

34 ~~(1) THE PROVISION OF INTERPRETERS FOR PERSONS WHO CANNOT~~
35 ~~ADEQUATELY UNDERSTAND OR EXPRESS THEMSELVES IN SPOKEN ENGLISH;~~

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1 ~~(2) THE TRANSLATION OF FORMS AND DOCUMENTS ORDINARILY~~
 2 ~~PROVIDED TO THE PUBLIC INTO ANY LANGUAGE SPOKEN BY 3% OF THE STATE~~
 3 ~~POPULATION OR THE POPULATION WITHIN THE GEOGRAPHIC JURISDICTION~~
 4 ~~OF A LOCAL OFFICE OF A STATE DEPARTMENT, AGENCY, OR PROGRAM; AND~~

5 ~~(3) ANY ADDITIONAL METHODS OR MEANS NECESSARY TO~~
 6 ~~ACHIEVE EQUAL ACCESS TO THE STATE PROGRAM.~~

7 ~~(C) EACH STATE DEPARTMENT, AGENCY, OR PROGRAM SHALL ADOPT~~
 8 ~~REGULATIONS IMPLEMENTING THE REQUIREMENTS OF THIS SUBTITLE BY~~
 9 ~~MARCH 1, 2002.~~

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 11 MARYLAND, That:

12 (a) The General Assembly finds that it is the policy of the State that
 13 departments, agencies, and programs are authorized to provide equal access to public
 14 services to persons with limited English proficiency.

15 (b) (1) In this Act the following words have the meanings indicated.

16 (2) "Equal access" means to be informed of, participate in, and benefit
 17 from services offered by a State department, agency, or program, at a level equal to
 18 English-proficient persons.

19 (3) "Limited English proficiency" means the inability to adequately
 20 understand or express oneself in the spoken or written English language.

21 (4) "Program" means all of the operations of a State department, State
 22 agency, or any other instrumentality of the State.

23 (c) (1) Each State department, agency, or program shall:

24 (i) On or before September 1, 2001, respond at the request of the
 25 Department of Human Resources to a survey to determine the need for interpretation
 26 and translation services based on current requests for services; and

27 (ii) On or before September 1, 2001, provide to the Department of
 28 Human Resources a description of the current measures taken to provide
 29 interpretation and translation services.

30 (2) For purposes of the response to the survey required under paragraph
31 (1)(i) of this subsection, requests for services or services provided through a volunteer
32 interpreter, such as a family member, friend, or private nonprofit organization, shall
33 be counted as a request for service by or a service provided to a limited English
34 proficiency person.

35 (d) (1) The Department of Human Resources shall develop, distribute, and
36 collect the surveys in subsection (c)(1)(i) of this section and review the information
37 contained in the surveys.

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1 (2) If, upon review, the Department of Human Resources determines
 2 that there is an increased need for interpretation and translation to assure equal
 3 access for limited English proficiency speakers, the Department of Human Resources
 4 shall make recommendations and prepare budgets for the implementation of
 5 comprehensive interpretation and translation services.

6 (3) The recommendations in paragraph (2) of this subsection shall be
 7 completed by October 1, 2001, and shall include provisions for:

8 (i) The translation of vital documents, including:

9 1. Applications;

10 2. Consent forms;

11 3. Documents requiring a response from program
 12 participants;

13 4. Documents describing how to participate in a program or
 14 how to receive language assistance; and

15 5. Notices pertaining to the reduction, denial, or termination
 16 of services or benefits or the right to appeal such actions; and

17 (ii) The interpretation through one or more of the following:

18 1. Bilingual staff;

19 2. Contract interpreters;

20 3. Community volunteers; or

21 4. Telephonic interpreter services.

22 (e) (1) The Department of Human Resources, in conjunction with the
 23 Department of Planning, and on or before September 1, 2001, shall prepare:

24 (i) An estimate of the number of limited English proficiency
 25 persons by county and language subgroup; and

26 (ii) An estimate of increased utilization rates if comprehensive
 27 interpretation and translation services are implemented in State programs.

- 28 (2) The estimates in paragraph (1) of this subsection shall be based on:
- 29 (i) Census data;
- 30 (ii) Data from school systems and community agencies;
- 31 (iii) Current utilization data from client files; and

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1 (iv) Other socio-economic indicators relevant to each State agency,
2 including relative rates of poverty, crime, and workplace accidents.

3 (f) The Department of Human Resources shall report to the Senate Economic
4 and Environmental Affairs Committee and the House Commerce and Government
5 Matters Committee on or before November 30, 2001 on the implementation of this
6 Act.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 ~~October~~ July 1, 2001. It shall remain effective for a period of 6 months and, at the end
9 of December 31, 2001, with no further action required by the General Assembly, this
10 Act shall be abrogated and of no further force and effect.

APPENDIX C: TELEPHONE INTERVIEW PROTOCOL

Telephone Questionnaire for DHR LEP Telephone Survey of Maryland Employees

OPENING STATEMENT TO BE READ BY INTERVIEWER:

Hello. My name is {INSERT NAME}. I'm calling from the National Foreign Language Center at the University of Maryland. We are conducting a survey of State of Maryland Employees for the State Department of Human Resources. This survey is required in accordance with Maryland Senate Bill 542 of 2001.

The goal of this survey is to determine how Maryland provides services to its residents and citizens for whom English is not their first language, and who have difficulty communicating in English. All survey responses will be held in strict confidence. I will not record your name. Your responses will be tracked using a random i.d. number.

SURVEY QUESTIONS: {{{PLEASE RECORD RESPONDENTS' ANSWERS VERBATIM}}}

1) What is your job title?

2) Briefly describe your job duties.

3) Do you deal with customers/clients whose first language is not English and who have difficulty communicating in English?

(1) YES

(0) NO

(IF NO, SKIP TO QUESTION 8)

3a) How often?

(1) Rarely, less than once a month

(2) Once a month

(3) Once a week

(4) Once a day

(5) Several times a day

3b) In what languages? {{What languages do these clients/customers whose first language is not English and who have difficulty communicating in English speak?}}

3c) In what part of your job do you encounter these individuals?

- 4) When this situation occurs, how do you handle it? Do you
- | | | |
|---|--------|-------|
| (1) Handle it yourself? | (1)YES | (0)NO |
| (2) Call on a fellow employee? | (1)YES | (0)NO |
| (3) Rely on client/customer relatives? | (1)YES | (0)NO |
| (4) Rely on client/customer friends or community member? | (1)YES | (0)NO |
| (5) Call a contractor, such as Berlitz or Language Line Services? | (1)YES | (0)NO |
| (6) Rely on other clients? | (1)YES | (0)NO |
| (7) Rely on volunteers? | (1)YES | (0)NO |
| (8) Other? | (1)YES | (0)NO |

Please specify:

{IF YES TO QUESTION 4, #5}

4a) When you call on a contractor, such as Berlitz or Language Line Services, do you typically use the interpreter's services in person or over the phone?

- (1) IN PERSON
- (2) OVER THE PHONE

5) Which one do you use most often? **{INSERT ANSWERS TO QUESTION 4}**

5a)Why?

6) Which one of these would you prefer to use? **{INSERT LIST FROM QUESTION 4}**

6a)Why?

7) Typically, how long does it take to arrange services for clients/customers whose first language is not English and have difficulty communicating in English?

- (1) 1 hour
- (2) ½ a day
- (3) 1 day
- (4) 2 days
- (5) 1 week

- (6) More than 1 week
- (9) DON'T KNOW

- 8) Does your department have any policies or procedures regarding clients or customers whose first language is not English and who have difficulty communicating in English?
- (1) YES
 - (0) NO
 - (9) DON'T KNOW

IF YES,

8a) What are they?

- 9) Does your department offer any training for staff in regard to helping clients/customers whose first language is not English and have difficulty communicating in English?
- (1) YES
 - (0) NO
 - (9) DON'T KNOW

IF YES,

9a) What type of training was it?

- 9b) Did you participate?
- (1) YES
 - (2) NO

- 10) Are there any record keeping procedures in place regarding clients/customers whose first language is not English and have difficulty communicating in English?
- (1) YES
 - (0) NO
 - (9) DON'T KNOW

- 11) What documents or forms are available in other languages to help clients/customers who speak languages other than English?
- (9) DON'T KNOW

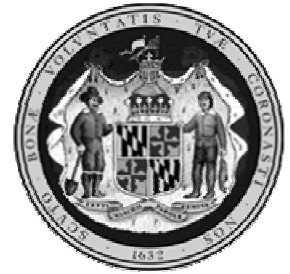
11a) In what languages?

12) What changes in policy and procedures would help you to do your job better when dealing with these clients/customers?

CLOSING STATEMENT:

Thank you for your participation in this survey.

APPENDIX D: QUESTIONNAIRE FOR OFFICIAL WRITTEN SURVEY OF STATE OFFICES



- **Maryland Senate Bill 542 requires that the Department of Human Resources determine public access for persons with limited English proficiency.**
- **The National Foreign Language Center at the University of Maryland is helping to determine how Maryland provides services to its clients who have problems communicating in English.**
- **Your survey responses will be held in strict confidence. (Your random identification tracking number is only used to check whether you respond to the survey.)**
- **Please take 5 minutes today to fill out this form, fold and staple it and return it by mail (postage paid).**

1. How often does your office deal with clients whose first language is not English and who have difficulty communicating in English?

- | | | | | |
|--|------------------------------------|----------------------------------|------------------------------|----------------------------------|
| (0) NEVER
(If NEVER, Go
To Question 7,
Page 3) | (1) Once/ Twice
a
month
↓ | (2) Once/ Twice
per week
↓ | (3) Almost
every day
↓ | (4) More than
once a day
↓ |
|--|------------------------------------|----------------------------------|------------------------------|----------------------------------|

2. Please describe the main services your office provides to non-English speaking clients.

3. a.) In what languages? (PLEASE **CIRCLE** ALL LANGUAGES THAT YOUR OFFICE USES)

10. HISPANIC/ LATINO	20. MIDDLE EASTERN	30. AFRICAN	40. ASIAN	50. EUROPEAN
11. Spanish	21. Arabic	31. Igbo	41. Korean	51. French
12. Portuguese	22. Hebrew	32. Yoruba	42. Vietnamese	52. German
13. Aymara	23. Farsi	33. Hausa	43. Tagalog	53. Italian
14. Quechua	24. Other (describe) _____	34. Swahili	44. Cantonese	54. Russian
15. Haitian Creole	_____	35. Tigrigna	45. Hmong	55. Ukrainian
16. Other (describe) _____	_____	36. Twi	46. Chinese (Mandarin)	56. Greek
		37. Other (describe) _____	47. Other (describe) _____	57. Serbian/ Croatian
				58. Other (describe) _____

b.) Which foreign language is most used? # _____

c.) Which foreign language is second most used? # _____

4. About what percentage of your department/agency/program's clients would you estimate have difficulty communicating in English?
_____ %

5. Does your department/ agency/program provide non-English speaking clients with language help
(PLEASE CIRCLE YES OR NO FOR EACH. IF YES, PLEASE INDICATE WHICH LANGUAGES USING THE NUMBERS PROVIDED IN QUESTION # 3)

a.) BY YOUR OWN STAFF?

Which Languages?

By trained/certified staff interpreters/translators? **NO** **YES➔**

By other bilingual staff, who volunteer? **NO** **YES➔**

b.) BY CONTRACTORS?

Which Languages?

Telephone-based? **NO** **YES➔**

In-person? **NO** **YES➔**

c.) BY VOLUNTEERS?

Community based organizations?

NO YES➔

Which Languages?

Other? (Describe) _____

NO YES➔

d.) BY SOMEONE WHOM THE CLIENT BRINGS WITH THEM?

Family member?

NO YES➔

Friend?

NO YES➔

Community advocate?

NO YES➔

e.) BY OTHERS? (Please describe)

NO YES➔

NO YES➔

6. Is the typical delay caused by language difficulties for clients who have difficulty communicating in English

- (1) More than a week? (2) Within a week? (3) Within 2 days? (4) Within a day? (5) Within 4 hours? (6) Within 1 hour?

7. What documents or forms are available in other languages? In what languages?
(PLEASE INDICATE WHICH LANGUAGES USING THE NUMBERS PROVIDED IN QUESTION # 3)

TYPE OF DOCUMENT/ FORM	PLEASE CIRCLE:		If YES: WHICH LANGUAGE(S)
	NO	YES ➔	
1. Applications	NO	YES ➔	
2. Appeal notices	NO	YES ➔	
3. Hearing requests	NO	YES ➔	
4. Informational materials	NO	YES ➔	
5. Rights & responsibilities	NO	YES ➔	
6. EEO notices	NO	YES ➔	
7. Contracts	NO	YES ➔	

8. Notices of adverse action	NO	YES ➔	
9. Denial of service	NO	YES ➔	
10. Notices of handicap access	NO	YES ➔	
11. Other (Please describe) _____	NO	YES ➔	

8. Do you have any systems in place to monitor how services are delivered to clients who have difficulty communicating in English? (PLEASE CIRCLE)

NO **YES ➔** Please describe: _____

9. Does your office have any training available for staff in language policy and procedures? (PLEASE CIRCLE)

NO **YES ➔** Please describe: _____

10. What suggestions do you have to provide better access to services for individuals who have difficulty in communicating in English?

THANK YOU FOR YOUR TIME AND HELP